

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TANNER TROSPER, on behalf of himself, individually, and all others similarly situated,)	Case No.: 13-CV-0607-LHK
)	
Plaintiff,)	CASE MANAGEMENT ORDER
v.)	
)	
STRYKER CORPORATION, HOWMEDICA OSTEONICS CORPORATION, and DOES 1 to 100, inclusive,)	
)	
Defendants.)	

Plaintiff's Attorneys: Louis Marlin
Defendant's Attorneys: Andrew Paley; Andrew McNaught

A case management conference was held on October 15, 2014.

The Court hereby approves the parties' proposed class notice and request for exclusion form. ECF No. 59.

The Court will not bifurcate discovery or the trial.

Plaintiff shall provide a detailed trial roadmap to Defendants on December 22, 2014. The parties shall meet-and-confer thereafter regarding any issues with the roadmap.

The Court hereby makes the following orders related to the parties' discovery disputes:

- Defendants' request to delay class-wide discovery until the end of the opt-out period is DENIED.
- Plaintiff's request for documents related to expenses for one year subsequent to the Class Period is GRANTED. Plaintiff's request for documents related to expenses for two years subsequent to the Class Period is DENIED.

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- Plaintiff’s request to promulgate additional interrogatories is GRANTED IN PART. Each side shall be allotted an additional 10 interrogatories beyond the number permitted by the Federal Rules of Civil Procedure.
- Defendants’ request to depose absent class members is GRANTED IN PART. Defendants may depose up to 15 absent class members. This number may be increased by stipulation of the parties or order of the Court.

The Court hereby amends the case schedule as follows:

FACT DISCOVERY CUTOFF is March 31, 2015

EXPERT DISCOVERY CUTOFF is April 30, 2015

ESTIMATED LENGTH OF TRIAL: 10 days

All other deadlines remain as set. The parties shall meet-and-confer regarding deadlines for opening and rebuttal expert reports.

A further case management conference is set for January 28, 2015, at 2 p.m. Pursuant to Civil Local Rule 16-10(d), the parties shall file a joint case management statement (“JCMS”) by January 21, 2015. In their JCMS, the parties shall discuss at a minimum: (1) any disputes related to Plaintiff’s trial roadmap; (2) the parties’ agreed-upon deadlines for expert opening and rebuttal reports; (3) the status of ADR.

IT IS SO ORDERED.

Dated: October 15, 2014



LUCY H. KOH
United States District Judge