

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CRAIG CRANDALL,  
Plaintiff,  
v.  
STARBUCKS CORPORATION,  
Defendant.

Case No. [17-cv-03680-VKD](#)  
**ORDER RE DISCOVERY DISPUTE RE  
EXPERT SITE INSPECTION**  
Re: Dkt. No. 68

The Court having considered the arguments of the parties as reflected in the joint submission and as stated during the hearing on May 7, 2019, orders as follows:

Plaintiff Craig Crandall may have his expert conduct a further inspection of the Starbucks store that is the subject of this action. The inspection will be limited to the alleged violations stated in the First Amended Complaint (Dkt. No. 48), and will be further limited to any changes to the store made in or after February 2019 that relate to those alleged violations. Counsel shall confer promptly to ensure that the further inspection is conducted at the earliest opportunity. Mr. Crandall’s counsel may accompany the expert on the inspection. If Mr. Crandall’s expert anticipates offering expert testimony about the alleged violations based on his further inspection of the store, he must serve a supplemental expert report on defendant Starbucks no later than seven days following completion of the further inspection.<sup>1</sup> Starbucks indicates that it may seek leave of Court to serve a rebuttal to such supplemental expert report. If, after conferring, the parties agree that such leave is warranted, they may file a stipulation to that effect; if they disagree, they may

<sup>1</sup> If the supplemental expert report covers matters that Starbucks contends should have been included in the initial expert report, Starbucks may object to proposed expert testimony on that ground by filing a pretrial motion in limine.

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submit the question to the Court for resolution using the Court’s discovery dispute procedures.

**IT IS SO ORDERED.**

Dated: May 7, 2019

*Virginia K. DeMarchi*  
VIRGINIA K. DEMARCHI  
United States Magistrate Judge