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## 1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 4 KARL E. RISINGER, an individual, on Case No.: 2:12-cv-00063-MMD-PAL behalf of himself and all others similarly 5 situated, POST-CLASS CERTIFICATION **SCHEDULING ORDER** 6 Plaintiff, 7 VS. 8 SOC LLC, a Delaware limited liability company registered and doing business in 9 Nevada as SOC NEVADA LLC; SOC-SMG, INC., a Nevada corporation; DAY & 10 ZIMMERMANN, INC., a Maryland corporation; and DOES 1-20, inclusive, 11 Defendants. 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

WHEREAS, on September 29, 2017, this Court ordered a schedule for post-certification discovery, class notice, and pretrial deadlines (Dkt. 191);

WHEREAS, on January 17, 2018, this Court granted the parties' stipulation for an extension of time to submit a joint notice plan and for mailing notice (Dkt. 196);

WHEREAS, on January 25, 2018, the parties filed a joint motion for approval of a clsas notice plan (Dkt. 198);

NOW THEREFORE, the parties, by and through their counsel of record, hereby stipulate and agree to the following:

## **CLASS NOTICE**

1. Notice to class members will be sent within two days after the Court grants the parties' joint motion for approval of class notice procedures. The class notice will specify a 60-day opt-out period to begin after the date of the mailing.

## CLASS MEMBER AND PUNITIVE DAMAGES DISCOVERY

- 2. All class member damages and punitive damages fact discovery must be completed by February 28, 2018. Written discovery shall be responded to within 30 days of service. Depositions shall be noticed per code. Regarding Defendants' liability for punitive damages, Defendants may only serve a total of 10 interrogatories on the issues of the Class' ability to recover punitive damages from Defendants and the measure of punitive damages. No other liability discovery (fact or expert) will be permitted. Defendants will also be permitted to supplement their prior discovery responses without waiver of Plaintiffs' right to seek to exclude any information or documents not previously produced in discovery.
- 3. Any expert witness disclosures on the issue of damages must be made by no later than March 13, 2018.
- 4. Any rebuttal expert witness disclosures on the issue of damages must be made by no later than March 28, 2018.
- 5. All expert witness depositions on the issue of damages must be completed by no later than April 11, 2018.

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1	6.	Any disputes regarding	fact or expert discovery shall be resolved by submitting a	
2	joint letter to the Magistrate Judge Leen's chambers, who will then schedule a conference call to			
3	resolve the dispute.			
4		<u>T</u>	TRIAL DEADLINES	
5	1.	Plaintiff and Defendants	s will file a joint pretrial order on May 11, 2018.	
6	2.	Plaintiff shall submit its trial plan on or before April 6, 2018.		
7	3.	Any motions in limine or other pretrial motions, including Daubert motions, must		
8	be filed and served by no later than 30 days before trial.			
9	4. Any oppositions to motions <i>in limine</i> or other pretrial motions, including <i>Daubern</i>			
10	motions, must be filed and served by no later 15 days before trial.			
11	5.	No replies to motions in	a limine or other pretrial motions, including Daubert	
12	motions, shall be filed unless expressly authorized by the Court.			
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14				
15			Approved as to Form and Content,	
16	Dated: February 1, 2018		EARLY SULLIVAN WRIGHT	
17			GIZER & McRAE LLP	
18			By: /s/Scott E. Gizer	
19			SCOTT E. GIZER DEVIN A. MCRAE	
20			Attorneys for Plaintiff	
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IT IS SO ORDERED.
Dated this 2nd day of February, 2018
Jugg a. Feen
HON. PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

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