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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

	)	Case No. 2:21-cv-00750-RSL
KAELI GARNER, <i>et al.</i> ,	)	
Plaintiffs,	)	<b>STIPULATED MOTION TO MODIFY</b>
v.	)	<b>DISCOVERY AND PRETRIAL</b>
	)	<b>DATES AND ORDER</b>
AMAZON.COM, INC., a Delaware	)	
Corporation, and AMAZON.COM SERVICES	)	
LLC, a Delaware Limited Liability Company,	)	
Defendants.	)	

Plaintiffs and Defendants, by and through their undersigned counsel, hereby stipulate to the following:

WHEREAS, this stipulation memorializes the parties' agreement that the close of fact discovery should be extended by 75 days to October 30, 2023.

WHEREAS, on November 17, 2021, Plaintiffs filed their First Amended Consolidated Complaint against Defendants. ECF 59.

WHEREAS, on February 18, 2022, the Court issued an Order Setting Discovery and Pretrial Dates, which set December 16, 2022 as the close of fact discovery. ECF 72.

1 WHEREAS, on November 18, 2022, the Court granted the parties' Stipulated Motion to  
2 Modify Case Deadlines, which, among other things, set August 16, 2023 as the close of fact  
3 discovery. ECF 142 at 6.

4 WHEREAS, the parties' Stipulated Motion to Modify Case Deadlines also contemplated  
5 an additional extension to complete and review the parties' document production and complete  
6 fact witness depositions. *Id.* at 2.

7 WHEREAS, the parties have engaged in extensive document discovery, including  
8 document requests, interrogatories, requests for admission, discovery dispute conferences, and ten  
9 motions to compel discovery, and two of these motions to compel are fully briefed and pending  
10 with the Court, *see* ECF 173, 177, and the parties are still in the process of responding to each  
11 other's discovery requests, producing electronically stored information, and scheduling  
12 depositions.

13 WHEREAS, the parties have cooperatively discussed the need for an extension of the  
14 discovery and pretrial schedule.

15 WHEREAS, as part of their cooperative discussions regarding the need for such an  
16 extension of the case schedule, the parties agreed to the following:

- 17 • Depositions: All parties agree to make at least two witnesses available in August  
18 2023 and at least three witnesses in September 2023 in order to keep fact discovery  
19 moving. For the sake of efficiency, resources, and convenience, no witnesses will  
20 be required to travel for depositions.
- 21 • Written Discovery: No party will serve new written discovery on another party,  
22 except for discovery both based on information learned in a deposition and  
23 following up on prior written discovery, supported by a citation to the deposition  
24 transcript and prior interrogatory, request for admission, or request for production.

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the  
26 undersigned parties, and respectfully submitted for the Court's approval, that the fact discovery

1 deadline will be extended by 75 days and all other deadlines in the case will be extended as  
 2 reflected below.

Event	Former Deadline	Operative Deadline
Fact discovery cut-off	August 16, 2023	October 30, 2023
Last day to file motion for class certification (including expert report in support of class certification)	October 10, 2023	December 22, 2023
Last day to file opposition to class certification (including expert report in opposition to class certification)	December 8, 2023	February 27, 2024
Last day to file reply in support of class certification (including reply class certification expert report limited to any new subjects introduced in opposition report)	January 11, 2024	March 28, 2024

15 **IT IS SO STIPULATED.**

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 18 DATED: July 27, 2023

Respectfully submitted,

/s/ Bradley S. Keller

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*Counsel for Defendants*  
*AMAZON.COM, INC. and*  
*AMAZON.COM SERVICES, LLC*

**ORDER**

Pursuant to the Parties’ Stipulated Motion to Modify Discovery and Pretrial Dates, it is  
 HEREBY ORDERED that the deadline for the close of fact discovery and subsequent case  
 deadlines be extended as shown follows:

Event	Former Deadline	Operative Deadline
Fact discovery cut-off	August 16, 2023	October 30, 2023
Last day to file motion for class certification (including expert report in support of class certification)	October 10, 2023	December 22, 2023
Last day to file opposition to class certification (including expert report in opposition to class certification)	December 8, 2023	February 27, 2024
Last day to file reply in support of class certification (including reply class certification expert report limited to any new subjects introduced in opposition report)	January 11, 2024	March 28, 2024

**IT IS HEREBY ORDERED.**

Dated July 31, 2023



THE HONORABLE ROBERT S. LASNIK  
 UNITED STATES DISTRICT JUDGE