

1 Sara B. Brody (Bar No. 130222)
2 sbrody@sidley.com
3 Stephen Chang (Bar No. 312580)
4 stephen.chang@sidley.com
5 SIDLEY AUSTIN LLP
6 555 California Street, Suite 2000
7 San Francisco, California 94104
8 Telephone: (415) 772-1200
9 Facsimile: (415) 772-7400

10 Angela C. Zambrano (*Pro Hac Vice*)
11 angela.zambrano@sidley.com
12 Robert S. Velevis (*Pro Hac Vice*)
13 rvelevis@sidley.com
14 SIDLEY AUSTIN LLP
15 2021 McKinney Avenue, Suite 2000
16 Dallas, TX 75201
17 Telephone: +1 (214) 981-3300
18 Facsimile: +1 (214) 981-3400

19 *Attorneys for Defendants AT&T*
20 *Services, Inc. and AT&T Mobility*
21 *LLC*

22 **UNITED STATES DISTRICT COURT**
23 **NORTHERN DISTRICT OF CALIFORNIA**
24 **SAN FRANCISCO DIVISION**

25 KATHERINE SCOTT, CAROLYN JEWEL,
26 and GEORGE PONTIS, individually and on
27 behalf of all others similarly situated,

28 Plaintiffs,

v.

AT&T INC.; AT&T SERVICES, INC.; AT&T
MOBILITY, LLC; TECHNOCOM CORP.;
and ZUMIGO, INC.,

Defendants.

Case No. 19-cv-4063-SK

CLASS ACTION

**STIPULATED REQUEST AND
ORDER TO SET JURISDICTIONAL
DISCOVERY SCHEDULE AND
EXTEND DEADLINES AND DATE
OF INITIAL CASE MANAGEMENT
CONFERENCE**

[DKT. NO. 77]

Judge: Hon. Sallie Kim

1 Plaintiffs Katherine Scott, Carolyn Jewel, and George Pontis (collectively, “Plaintiffs”)
2 and Defendants AT&T Services, Inc. and AT&T Mobility, LLC (collectively, “AT&T
3 Defendants”), by and through their undersigned counsel, hereby submit the following
4 stipulated request to resolve Plaintiff’s Motion for Leave to Conduct Jurisdictional Discovery
5 (Dkt. No. 77), set a schedule for jurisdictional discovery, extend the briefing schedule on
6 AT&T Defendants’ motion to dismiss, extend the hearing date on the motion to dismiss and
7 motion to compel arbitration, and extend the date of the Initial Case Management Conference
8 as follows:

9 1. WHEREAS, on November 7, 2019, the Clerk of the Court issued an Order
10 reassigning this case to the Honorable Sallie Kim for all further proceedings;

11 2. WHEREAS, AT&T Defendants have filed a motion to compel arbitration and
12 a motion to dismiss (“Pending Motions”);

13 3. WHEREAS, the parties previously stipulated to, and the Court ordered, an
14 extension of Plaintiff’s deadline to respond to the motion to dismiss from December 11, 2019
15 to January 15, 2020 and an extension for AT&T Defendants’ reply from December 18, 2019
16 to February 3, 2020;

17 4. WHEREAS, hearings on the Pending Motions are set for February 24, 2020;

18 5. WHEREAS, Plaintiffs filed a Motion for Leave to Conduct Jurisdictional
19 Discovery on December 23, 2019;

20 6. WHEREAS, AT&T Defendants agree with Plaintiffs that limited jurisdictional
21 discovery is warranted in this case and the parties have conferred and have stipulated, subject
22 to the Court’s approval, to a jurisdictional discovery schedule with this period to close seven
23 months after the entry of this [Proposed] Order;

24 7. WHEREAS, the parties have conferred and have stipulated, subject to the
25 Court’s approval, to move the deadline for Plaintiffs to file a response to the motion to dismiss
26 from January 15, 2020 to two weeks after the close of discovery and the deadline for AT&T
27

1 Defendants to file a reply from February 3, 2020 to two weeks after Plaintiffs' response to the
2 motion to dismiss;

3 8. WHEREAS, the parties have conferred and have further stipulated, subject to
4 the Court's availability, to move the hearings on the Pending Motions from February 24, 2020
5 to one week after Defendants' reply;

6 9. WHEREAS, the parties agree that it serves judicial and party economy to have
7 the hearings on the Pending Motions and the Initial Case Management Conference on the same
8 date as a matter of efficiency, and thus seek to move the date of the Initial Case Management
9 Conference from February 24, 2020 to one week after Defendants' reply;

10 10. WHEREAS, this proposed schedule change will not materially impact any
11 other dates or other deadlines already fixed by Court order in this case.

12 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, and respectfully
13 requested, by and between the undersigned counsel, subject to the availability and approval of
14 the Court that:

- 15 1. The Parties have agreed that limited jurisdictional discovery is warranted in this
16 case. Plaintiffs may conduct discovery in order to respond to AT&T
17 Defendants' motion to dismiss;
- 18 2. Within ten days after the entry of this Order, Plaintiffs will propound their
19 discovery requests upon the AT&T Defendants;
- 20 3. Within ten days upon receipt of service of Plaintiffs' discovery requests, the
21 Parties shall meet and confer about Plaintiffs' requested discovery;
- 22 4. Other discovery will not be permitted during this period;
- 23 5. All discovery disputes will be promptly raised by the parties through the
24 procedures established in Magistrate Judge Kim's standing order;
- 25 6. The jurisdictional discovery period will close seven months after the entry of
26 this [Proposed] Order;

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7. The deadline for Plaintiffs to file a response to AT&T Defendants' motion to dismiss will be two weeks after the close of discovery;
8. The deadline for AT&T Defendants to file a reply to their motion to dismiss will be two weeks after Plaintiffs' response to the motion to dismiss;
9. The hearings on AT&T Defendants' motion to dismiss and motion to compel arbitration will be one week after Defendants' reply at 9:30 a.m.;
10. The Initial Case Management Conference will be one week after Defendants' reply at 9:30 a.m.

IT IS SO STIPULATED

Dated: January 14, 2020

SIDLEY AUSTIN LLP

By: /s/ Angela C. Zambrano
Angela C. Zambrano
Admitted pro hac vice
Robert Velevis
Admitted pro hac vice
SIDLEY AUSTIN LLP
2021 McKinney Avenue, Suite 2000
Dallas, Texas 75201
Telephone: (214) 981-3300
Facsimile: (214) 981-3400

Sara B. Brody
Stephen Chang
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, California 94104
Telephone: (415) 772-1200
Facsimile: (415) 772-7400

*Attorneys for Defendants AT&T
Services, Inc. and AT&T Mobility, LLC*

1 Dated: January 14, 2020

PIERCE BAINBRIDGE BECK PRICE
& HECHT LLP

2 By: /s/ Thomas D. Warren
3 Thomas D. Warren (State Bar No. 160921)
4 335 S. Grand Avenue, 44th Floor
5 Los Angeles, CA 90071
6 Telephone: (213) 262-9333
7 Facsimile: (213) 297-2008
8 Thomas Popejoy (*pro hac vice* admitted)
9 tlpopejoy@piercebainbridge.com
277 Park Avenue, 45th Floor
New York, NY 10172
Telephone: (212) 484-9866
Facsimile: (646) 968-4125

10 ELECTRONIC FRONTIER FOUNDATION
11 Aaron Mackey (State Bar No. 286647)
12 Andrew Crocker (State Bar No. 291596)
13 Adam D. Schwartz (State Bar No. 309491)
14 815 Eddy Street
15 San Francisco, California 94109
16 Telephone: (415) 436-9333
17 Facsimile: (415) 436-9993

*Attorneys for Plaintiffs Katherine Scott, Carolyn
Jewel and George Pontis*

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LOCAL RULE 5-1 ATTESTATION

I, Angela C. Zambrano, am the ECF User whose ID and password was used to file this STIPULATED REQUEST AND [PROPOSED ORDER] TO SET DISCOVERY SCHEDULE, AND EXTEND DEADLINES AND DATE OF INITIAL CASE MANAGEMENT CONFERENCE. In compliance with Local Rule 5-1(i)(3), I hereby attest that, counsel for Plaintiffs, concurred in this filing.

Dated: January 14, 2020

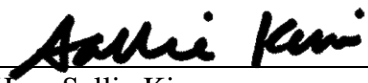
By: /s/ Angela C. Zambrano

ORDER

PURSUANT TO STIPULATION AS MODIFIED, IT IS SO ORDERED:

1. The Parties have agreed that limited jurisdictional discovery is warranted in this case. Plaintiffs may conduct discovery in order to respond to AT&T Defendants' motion to dismiss;
2. Within ten days after the entry of this Order, Plaintiffs will propound their discovery requests upon the AT&T Defendants;
3. Within ten days upon receipt of service of Plaintiffs' discovery requests, the Parties shall meet and confer about Plaintiffs' requested discovery;
4. Other discovery will not be permitted during this period;
5. All discovery disputes will be promptly raised by the parties through the procedures established in Magistrate Judge Kim's standing order;
6. The jurisdictional discovery period will close on August 14, 2020;
7. The deadline for Plaintiffs to file a response to AT&T Defendants' motion to dismiss will be August 28, 2020;
8. The deadline for AT&T Defendants to file a reply to their motion to dismiss will be September 11, 2020;
9. The hearings on AT&T Defendants' motion to dismiss and motion to compel arbitration will be September 28, 2020 at 9:30 a.m.;
10. The Initial Case Management Conference will be September 28, 2020 at 9:30 a.m..

Dated: January 15, 2020



Hon. Sallie Kim
United States Magistrate Judge