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14 Attorneys for Defendant **PEPPERDINE UNIVERSITY**

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 16 **UNITED STATES DISTRICT COURT**
 17 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

18
 19 **HALEY VIDECKIS** and **LAYANA WHITE**, individuals,

20 Plaintiffs,

21 v.

22 **PEPPERDINE UNIVERSITY**, a
 23 corporation doing business in
 California,

24 Defendants.

CASE NO. 2:15-CV-00298-DDP (JCx)

**JOINT STIPULATION TO
 EXTEND THE FACT DISCOVERY
 CUT-OFF DATE AND DATES TO
 DISCLOSE EXPERT WITNESSES**

Trial Date: May 23, 2017

1 Pursuant to Local Rule 7-1, Plaintiffs Haley Videckis and Layana White and
2 Defendant Pepperdine University (“Parties”), through their respective counsel of
3 record stipulate and request that this Court Order an extension of the fact discovery
4 cut-off date as well as dates to disclose and depose expert witnesses as set forth
5 specifically below.

6 WHEREAS, the Parties do not seek a continuance of the trial date in this
7 matter, currently set for May 23, 2017;

8 WHEREAS, the Parties have had to extend the discovery cut-off date in order
9 to finish taking depositions;

10 WHEREAS, the Parties have taken approximately 20 third-party and party
11 depositions over the course of the last three months;

12 WHEREAS, Plaintiffs have noticed the depositions of approximately two
13 additional third-party and party witnesses, for whom scheduling is being coordinated
14 between the Parties and witnesses;

15 WHEREAS, an ongoing dispute exists with regard to the deposition of
16 Pepperdine’s President Andrew Benton;

17 WHEREAS, the Parties have had to accommodate deponents and have had to
18 travel to various states around the country in order to depose witnesses, contributing
19 to some delay in completing discovery;

20 WHEREAS, the Parties have met and conferred and agreed that they would
21 benefit from an extension of the fact discovery cut-off date for the limited purposes
22 set forth herein, as well as dates to file appropriate discovery and other motions and
23 to disclose and depose expert witnesses;

24 WHEREAS, there have been no previous time modifications in this case;

25 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed to by and
26 between the Parties, subject to the approval of the Court, that :

27 1. The Parties may take the depositions of those fact witnesses whose
28 depositions were noticed on or before February 6, 2017 so long as those depositions

1 are completed no later than April 28, 2017;

2 2. The Parties reserve the right to notice any deposition where the
3 significance of the deponent is only realized from the ongoing production of
4 documents and deposition testimony of party witnesses. The non-noticing Party can
5 contest such notice if it contends the deposition being noticed does not fit within this
6 category. If a dispute regarding the depositions identified in this paragraph arises,
7 the Parties must meet and confer within one week of identifying the disagreement,
8 and then may file motions to compel or seek protective orders from this Court.

9 3. Plaintiffs may move to compel Mr. Benton’s deposition, and Pepperdine
10 may assert its objections in that regard, other than objections based on the timeliness
11 of the motion;

12 4. Pepperdine may move to compel a mental examination/testing of the
13 plaintiffs, and plaintiffs may assert their objections in that regard, other than
14 objections based on the timeliness of the motion;

15 5. Counsel for the parties have already met and conferred regarding the
16 motions to compel specified in paragraphs 3 and 4 above. Accordingly, said motions
17 must be filed and served by April 7, 2017 and may be heard on shortened time on
18 April 24, 2017, or on a date thereafter convenient to this Court. Supplemental
19 memoranda in connections with the motions must be filed and served by April 18,
20 2017.

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1 6. The Parties shall engage in a simultaneous disclosure of expert
2 witnesses on April 4, 2017 at 3:00 p.m.. Any supplemental disclosure under FRCP
3 26(a)(2)(C) must be made by April 14, 2017. Expert witness reports will be due one
4 week before the experts' respective scheduled depositions. Expert discovery must be
5 completed by May 12, 2017.

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Dated: April 5, 2017

Respectfully submitted,

ZUBER LAWLER & DEL DUCA LLP
JAYESH PATEL
ROBERT W. DICKERSON

By: /s/ Jayesh Patel
Attorneys for Plaintiffs HALEY
VIDECKIS and LAYANA WHITE

Dated: April 5, 2017

Respectfully submitted,

**ANDERSON McPARHLIN &
CONNERS**
PAULATRIPP VICTOR
PETER B. RUSTIN

By: /s/ Paula T. Victor
Attorneys for Defendant PEPPERDINE
UNIVERSITY

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FILER’S ATTESTATION

Pursuant to this Court’s Electronic Case Filing Administrative Policies and Procedures, Section 2, Subparagraph f(4), the undersigned attests that all parties have concurred in the filing of this Joint Stipulation to Extend the Fact Discovery Cut-Off Date and Dates to Disclose Expert Witnesses.

Dated: April 5, 2017

ZUBER LAWLER & DEL DUCA

/s/ Jayesh Patel

Jayesh Patel
Attorneys for Plaintiffs HALEY VIDECKIS
and LAYANA WHITE

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PROOF OF SERVICE

**Videckis & White v. Pepperdine
Case No. 2:15-CV-00298-DDP (JCx)**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 777 S. Figueroa Street, 37th Floor, Los Angeles, CA 90017, USA.

On April 6, 2017, I served true copies of the following document(s) described as **JOINT STIPULATION TO EXTEND THE FACT DISCOVERY CUT-OFF DATE AND DATES TO DISCLOSE EXPERT WITNESSES** on the interested parties in this action as follows:

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Attorneys for Defendant Pepperdine
University

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on April 6, 2017, at Los Angeles, California.

/s/ Debbie J. Ellis

Debbie J. Ellis