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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

UNITED STATES OF AMERICA, *ex rel.* DENIKA TERRY, ROY HUSKEY III, and TAMERA LIVINGSTON, and each of them for themselves individually, and for all other persons similarly situated and on behalf of the UNITED STATES OF AMERICA Plaintiffs/Relators, vs. WASATCH ADVANTAGE GROUP, LLC, WASATCH PROPERTY MANAGEMENT, INC., WASATCH POOL HOLDINGS, LLC, CHESAPEAKE APARTMENT HOLDINGS, LLC,	Case No.: 2:15-CV-00799-KJM-DB CLASS ACTION **STIPULATION AND ORDER TO EXTEND EXPERT AND PRETRIAL DEADLINES** Before: Hon. Kimberley J. Mueller Trial Date: None Set

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO
873425.4

LOGAN PARK APARTMENTS, LLC, LOGAN PARK APARTMENTS, LP, ASPEN PARK HOLDINGS, LLC, BELLWOOD JERRON HOLDINGS, LLC, BELLWOOD JERRON APARTMENTS, LP, BENT TREE APARTMENTS, LLC, CALIFORNIA PLACE APARTMENTS, LLC, CAMELOT LAKES HOLDINGS, LLC, CANYON CLUB HOLDINGS, LLC, COURTYARD AT CENTRAL PARK APARTMENTS, LLC, CREEKSIDE HOLDINGS, LTD, HAYWARD SENIOR APARTMENTS, LP, HERITAGE PARK APARTMENTS, LP, OAK VALLEY APARTMENTS, LLC, OAK VALLEY HOLDINGS, LP, PEPPERTREE APARTMENT HOLDINGS, LP, PIEDMONT APARTMENTS, LP, POINT NATOMAS APARTMENTS, LLC, POINT NATOMAS APARTMENTS, LP, RIVER OAKS HOLDINGS, LLC, SHADOW WAY APARTMENTS, LP, SPRING VILLA APARTMENTS, LP, SUN VALLEY HOLDINGS, LTD, VILLAGE GROVE APARTMENTS, LP, WASATCH QUAIL RUN GP, LLC, WASATCH PREMIER PROPERTIES, LLC, WASATCH POOL HOLDINGS III, LLC, and DOES 1-4,

Defendants.

STIPULATION AND [PROPOSED] ORDER TO EXTEND EXPERT AND PRETRIAL DEADLINES

Plaintiffs and Relators Denika Terry, Roy Huskey III, and Tamera Livingston as court appointed representatives for the certified classes of California tenants and as relators for the United States and Defendants Wasatch Property Management, *et al.* (together, the Parties), by and through their undersigned counsel, stipulate as follows:

WHEREAS, under Federal Rule of Civil Procedure 16(b)(4), the Court has broad discretion to modify a pretrial scheduling order on a showing of "good cause," focusing on the diligence of the parties and the reasons for the modification;

WHEREAS, the current scheduling order signed by the Court on June 6, 2023 (ECF No. 310) provides for the following deadlines:

- Expert disclosures shall be completed by July 11, 2023;
- Rebuttal expert witnesses shall be exchanged by August 14, 2023;
- All expert discovery shall be completed by September 1, 2023; and
- Final Pretrial Conference is set for September 22, 2023, at 10:00 a.m.

WHEREAS, the Parties diligently and quickly completed non-expert discovery on remedies in this complex class action and qui tam litigation over just seven months from December 2022 to June 16, 2023;

WHEREAS, the Parties have agreed that Defendants will produce an updated Class List, which Defendants are currently working to compile;

WHEREAS, an extension to expert disclosure and subsequent deadlines will enable the Parties and their experts additional time to analyze relevant parts of the record developed in remedies discovery to date and to incorporate the updated Class List into their analyses;

WHEREAS, resetting the date of the Final Pretrial Conference will allow the Parties more time to work together on fact stipulations and to coordinate regarding trial planning;

WHEREAS, extending the deadline for completing expert discovery and resetting the date of the Final Pretrial Conference will not unduly delay the litigation or prejudice any party;

THEREFORE, the Parties jointly stipulate and request that the Court order that the current

case schedule (ECF Nos. 279, 295) be modified to reflect the following deadlines:

- Defendants shall produce an updated Class List by **July 14, 2023**;
- Expert disclosures shall be completed by ~~July 11, 2023~~ **July 20, 2023**;
- Rebuttal expert witnesses shall be exchanged by ~~August 14, 2023~~ **August 24, 2023**;
- All expert discovery shall be completed by ~~September 1, 2023~~ **September 8, 2023**; and
- Final Pretrial Conference is set for ~~September 22, 2023~~ **December 1, 2023**, at 10:00 a.m.

Dated: July 6, 2023

Respectfully submitted,

GOLDSTEIN, BORGEN, DARDARIAN & HO

/s/ Anne P. Bellows
Anne P. Bellows

Attorneys for Plaintiffs and Relators and the Certified Classes

Dated: July 6, 2023

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

/s/ Ryan Matthews (as authorized on 7/6/2023)
Ryan Matthews

Attorneys for Defendants

ORDER

Good cause appearing, the Court hereby ORDERS that the scheduling order be modified to reflect the following deadlines:

- Defendants shall produce an updated Class List by **July 14, 2023;**
- Expert disclosures shall be completed by **July 20, 2023**;
- Rebuttal expert witnesses shall be exchanged by **August 24, 2023**;
- All expert discovery shall be completed by **September 8, 2023;** and
- Final Pretrial Conference is set for **December 1,** at **10:00 a.m.**

SO ORDERED.

DATED: July 10, 2023.

CHIEF UNITED STATES DISTRICT JUDGE