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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE: YOSEMITE NATIONAL PARK  
HANTAVIRUS LITIGATION

MDL Docket No. C 14-2532 MMC

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT AND  
PROPOSED ORDER TO CONTINUE CMC  
HEARING AND AMENDED\* ORDER**

THIS DOCUMENT RELATES TO:  
  
ALL CASES

THEREON  
CMC Hearing: January 16, 2015  
  
The Honorable Maxine Chesney

The Parties to the above-entitled action jointly submit this Joint Case Management Statement and Proposed Order pursuant to the Standing Order for All Judges of the Northern District of California, Civil Local Rule 16-9, and in accordance with this Court's Orders of August 15, 2014 (document #45) and October 29, 2014 (document #59). Based on the parties' ongoing discovery efforts, the parties propose continuing the January 16, 2015 Case Management Conference hearing until March 6, 2015.

///

/// \*The amendment changes the date of the Case Management Conference and deadline to file a Joint Case Management Statement.

1 Brief status update and good cause for request for continuance:

2 **Motions**

3 Defendant United States of America timely filed its motion to dismiss pursuant to FRCP  
4 12(b)(1) on October 31, 2014. On October 22, 2014, the Court approved a request for extended  
5 page limits and also continued the hearing date on the motion until March 27, 2015. After  
6 ongoing efforts to meet and confer, the parties disagreed on the need for further extensions of the  
7 briefing schedule and hearing date. On December 16, 2014, the DNC defendants submitted a  
8 motion to extend the time for jurisdictional discovery and extend the briefing schedule (document  
9 #77). The court referred this dispute to Magistrate Judge Kandis A. Westmore (document #78).  
10 Pursuant to Judge Westmore's standing order, the parties jointly submitted a letter detailing the  
11 dispute and the parties' positions (document #79).  
12

13  
14 Judge Westmore issued a new dispositive motion briefing schedule on January 7, 2015  
15 (document #81). Specifically, the new deadline calls for responses to the Government's motion to  
16 dismiss by April 24, 2015. In addition, the Government's reply shall be filed by no later than  
17 May 22, 2015. After review of the Magistrate Judge's order, this court set a new hearing date for  
18 June 19, 2015, at 9:00 a.m. (document #82). As a result, the parties hereby comply with the case  
19 management conference deadline and submit this statement. Due to the new extended briefing  
20 schedule and decision regarding the prior dispute, the parties jointly propose continuing the  
21 January 16, 2015 Case Management Conference hearing until March 6, 2015.  
22

23 **Discovery**

24 The parties are currently engaging in written discovery and document production. This  
25 process is detailed within the September 26, 2014 Joint Case Management Conference Statement  
26 previously submitted to the Court. In addition, both Plaintiffs and the DNC Defendants have also  
27 noticed the depositions of the United States' person(s) most qualified. The United States agreed  
28

1 to produce deponents in response to these demands. The second rescheduled deposition dates of  
2 the identified deponents were tentatively set for January 14-16, 2015 (a time close to the  
3 upcoming case management conference), but these dates have been altered by the order on DNC  
4 defendants' motion to extend time (document #81). The parties are in the process of resetting all  
5 currently noticed depositions to meet with the Court's scheduling order. To promote efficiency  
6 and conserve resources, the parties propose continuing the January 16, 2015 Case Management  
7 Conference hearing until March 6, 2015 until a time when the parties will be in the judicial  
8 district completing the rescheduled depositions of the identified deponents.  
9

10 **Professional Conduct**

11 The parties have reviewed the revised judges' uniform standing order and reviewed the  
12 Guidelines for Professional Conduct for the Northern District of California prior to submitting  
13 this proposed order.  
14

15  
16 IT IS SO STIPULATED.

17 Dated: January 9, 2015

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1 Dated: January 9, 2015

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21 Dated: January 9, 2015

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**SIGNATURE ATTESTATION**

Pursuant to Civil Local Rule 5(e)(i), I hereby certify that authorization for the filing of this document has been obtained from each of the other signatories shown above and that all signatories concur in the filing's content.

To promote efficiency and conserve resources, the parties propose continuing the January 16, 2015 Case Management Conference hearing until March 6, 2015.

**SO ORDERED** . Due to the unavailability of the Court on March 6, 2015, however, the Case Management Conference is continued to March 13, 2015. The parties shall file a Joint Case Management Statement UNITED STATES DISTRICT JUDGE no later than March 6, 2015.

This 12th day of January, 2015

  
United States District Judge