

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

STEPHANIE TURNER, on behalf of herself  
and all others similarly situated,

Plaintiff,

v.

McDONALD'S USA, LLC, *et al.*

Defendants.

Civil No. 19-cv-05524

**JOINT RULE 26(f) INITIAL STATUS REPORT**

Pursuant to Federal Rule of Civil Procedure 26(f)(2) and this Court's judicial preferences governing initial status reports, Plaintiff STEPHANIE TURNER and Defendants MCDONALD's USA, LLC and MCDONALD's CORPORATION provide this written report outlining the parties' discovery plan as agreed at a September 26, 2019 Rule 26(f) conference.

**I. NATURE OF THE CASE**

**A. Jurisdiction**

The Court has subject matter jurisdiction pursuant to 15 U.S.C. §§ 4, 15, and 26, and 28 U.S.C. §§ 1331, 1332, and 1337.

**B. Nature of Claims**

Ms. Turner alleges that Defendants violated Section 1 of the Sherman Act, 15 U.S.C. § 1, by entering an agreement between and amongst its franchisees to restrain competition in the hiring of McDonald's restaurant workers, thereby suppressing the wages of a proposed nationwide class of McDonald's restaurant workers. Defendants dispute Plaintiff's claims.

**C. Relief Sought**

Ms. Turner seeks treble damages on behalf of herself and a proposed nationwide class of McDonald's workers pursuant to 15 U.S.C. § 1; all actual, general, special, incidental, statutory, punitive, consequential damages, and restitution to which Ms. Turner and the class members are entitled; equitable relief; a permanent injunction enjoining Defendants from enforcing or adhering to any existing agreement that unreasonably restricts competition as described herein or establishing a similar agreement unreasonably restricting competition for employees; pre-judgment and post-judgment interest on any monetary relief obtained; attorneys' fees and costs; and such further relief as the Court deems appropriate.

**D. Jury Demand**

Ms. Turner demands a trial by jury on all issues so triable.

**E. Parties Not Yet Served**

All Defendants have been served.

**II. Discovery and Pending Motions**

**A. Pending Motions**

There are no pending motions. Defendants anticipate filing a Rule 12 motion to dismiss on October 15, 2019.

**B. Discovery and Case Management Plan**

The parties held a Rule 26(f) conference by telephone and including counsel from both sides on September 26, 2019. In light of the Court's order consolidating discovery in this matter with *Deslandes v. McDonald's USA, LLC, et al.*, Case No. 17-cv-4857 (N.D. Ill.), the parties agreed that all discovery orders and schedules applicable to *Deslandes* apply to this case, including protective orders and orders governing ESI. The parties also agreed that, as in

*Deslandes*, this case is not appropriate for the Northern District of Illinois' Mandatory Initial Discovery Pilot Project.

**1. Type of Discovery Needed**

As explained above, the scope of discovery in this case is co-extensive with *Deslandes*, but class-wide and other discovery in *Deslandes* will not be duplicated in this matter. Discovery in this matter is limited to Ms. Turner's individual claim and anticipated request to serve as a class representative, such as discovery concerning her employment with Defendants and with McDonald's-branded franchisees and her adequacy as a potential class representative.

**2. Proposed Protective Orders**

As explained above, the parties agree that the protective orders entered in *Deslandes* apply to this case. The parties intend to execute and file a stipulation to this effect, attaching and incorporating by reference Dkt. Nos. 84 & 116 in *Deslandes* so that those orders are of record in this matter.

**3. Rule 26(a)(1) Disclosures**

The parties agreed to exchange initial disclosures on October 10, 2019.

**4. Completion of Fact Discovery**

As explained above, the discovery schedule in *Deslandes* applies to this case. At this time, the discovery cut-off in *Deslandes* is March 2, 2020. *Deslandes* Dkt. 175.

**5. Expert Discovery**

Expert discovery, like other discovery, is consolidated with *Deslandes*. The Court has not set a schedule for expert discovery.

**III. Settlement and Referrals**

**A. Settlement Discussions**

The parties agree that settlement discussions at this time are unlikely to be productive.

**B. Request for Settlement Conference**

The parties do not request to schedule a settlement conference at this time, but will advise the Court if and when one may be needed.

**C. Consent to Magistrate Judge Jurisdiction**

The parties have not consented to Magistrate Judge jurisdiction.

Dated: October 10, 2019

/s/ Derek Y. Brandt

Derek Y. Brandt

Derek Y. Brandt (#6228895)  
Leigh M. Perica (#6316856)  
**McCune Wright Arevalo, LLP**  
101 West Vandalia Street, Suite 200  
Edwardsville, Illinois 62025  
Tel: (618) 307-6116  
Fax: (618) 307-6161  
dyb@mccunewright.com

Dean M. Harvey (*pro hac vice* forthcoming)  
Anne B. Shaver (*pro hac vice* forthcoming)  
Lin Y. Chan (*pro hac vice* forthcoming)  
Yaman Salahi (*pro hac vice* forthcoming)  
Jeremy J. Pilaar (*pro hac vice* forthcoming)  
**LIEFF CABRASER HEIMANN &  
BERNSTEIN, LLP**  
275 Battery Street, 29th Floor  
San Francisco, California 94111-3339  
Tel: 415-956-1000  
dharvey@lchb.com  
ashaver@lchb.com  
lchan@lchb.com  
ysalahi@lchb.com  
jpilaar@lchb.com

Richard D. McCune (*pro hac vice* forthcoming)  
Michele M. Vercoski (*pro hac vice*  
forthcoming)  
**McCune Wright Arevalo, LLP**  
3281 East Guasti Road, Suite 100

/s/ Rachel S. Brass

Rachel S. Brass

**GIBSON, DUNN & CRUTCHER LLP**

D. Jarrett Arp (admitted *pro hac vice*)  
1050 Connecticut Ave., N.W.  
Washington, D.C. 20036  
Telephone: (202) 955-8500  
Facsimile: (202) 467-0539  
Email: JArp@gibsondunn.com

Rachel S. Brass (admitted *pro hac vice*)  
Caeli A. Higney (admitted *pro hac vice*)  
555 Mission St., Suite 3000  
San Francisco, California 94105  
Telephone: (415) 393-8200  
Facsimile: (415) 374-8458  
Email: RBrass@gibsondunn.com

Matthew C. Parrott (admitted *pro hac vice*)  
3161 Michelson Dr.  
Irvine, CA 92612  
Telephone: (949) 451-3800  
Facsimile: (949) 451-4220  
Email: MParrott@gibsondunn.com

**A&G LAW LLC**

Robert M. Andalman (Atty. No. 6209454)  
Rachael Blackburn (Atty. No. 6277142)  
542 S. Dearborn St.; 10th Floor Chicago, IL  
60605  
Tel.: (312) 341-3900  
Fax: (312) 341-0700

Ontario, California 91761  
Tel: (909) 557-1250  
rdm@mccunewright.com  
mmv@mccunewright.com

*Counsel for Defendants McDonald's USA,  
LLC and McDonald's Corporation*

Walter W. Noss (*pro hac vice* forthcoming)  
Stephanie A. Hackett (*pro hac vice*  
forthcoming)  
Sean C. Russell (*pro hac vice* forthcoming)  
**SCOTT+SCOTT, ATTORNEYS AT LAW,  
LLP**  
600 West Broadway, Suite 3300  
San Diego, California 92101  
Tel: 619-233-4565  
wnoss@scott-scott.com  
shackett@scott-scott.com  
sean.russell@scott-scott.com

Michelle E. Conston (*pro hac vice* forthcoming)  
**SCOTT+SCOTT, ATTORNEYS AT LAW,  
LLP**  
The Helmsley Building  
230 Park Avenue, 17<sup>th</sup> Floor  
New York, New York 10169  
Tel: 212-223-6444  
mconston@scott-scott.com

*Attorneys for Individual and Representative  
Plaintiff Stephanie Turner*

**CERTIFICATE OF SERVICE**

I, Rachel S. Brass, an attorney, hereby certify that the foregoing **Joint Rule 26(f) Report** was electronically filed on October 10, 2019 and will be served electronically via the Court's ECF Notice system upon the registered parties of record.

*/s/ Rachel S. Brass* \_\_\_\_\_

Rachel S. Brass