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8 *Attorneys for Plaintiff United States*

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 10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**  
 12 **OAKLAND DIVISION**

13 UNITED STATES OF AMERICA,

14 *Plaintiff*

15 v.

16 VISA INC. and PLAID INC.,

17 *Defendants.*

Case No. 4:20-cv-07810-JSW

18 **JOINT STIPULATION AND**  
**[PROPOSED] ORDER REGARDING**  
**CASE SCHEDULE**

19 Date: December 18, 2020

Time: 11 a.m.

Judge: Hon. Jeffrey S. White

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 21 Pursuant to the Court’s December 15, 2020, Order, the Parties have met and conferred  
 22 regarding a trial date and pretrial schedule. The Parties jointly recommend a trial date of June  
 23 28, 2021.

24 Defendants understand the Court’s Order to instruct the Parties to select a date for the  
 25 pretrial conference three weeks in advance of the trial date. The United States agrees with  
 26 Defendants’ reading of the Court’s Order but also understands that the Court’s Order could be  
 27 read to direct the Parties to propose a date for pretrial submissions, e.g. the Parties’ joint  
 28 proposed final pretrial conference order, three weeks in advance of trial. The Parties respectfully

1 request clarification as to the meaning of the Court's December 15 Order.

2 It is the Parties' intention to comply with the Court's normal pretrial schedule without  
 3 modification. Accordingly, the Parties have agreed upon and jointly recommend two alternative  
 4 schedules, and respectfully request the Court adopt the pretrial schedule that is consistent with its  
 5 normal schedule: (i) Schedule #1 below, with a pretrial conference one week before trial, on June  
 6 21, and pretrial submissions three weeks in advance of trial, on June 7; or (ii) Schedule #2,  
 7 below, with a pretrial conference three weeks in advance of trial, on June 21.

Event	Schedule #1	Schedule #2
The United States serves Rule 26(a)(1) Initial Disclosures	December 17, 2020	December 17, 2020
Defendant Visa to supplement Rule 26(a)(1) Initial Disclosures	3 days after receipt of Plaintiffs' Investigative File	3 days after receipt of Plaintiffs' Investigative File
Deadline to file dispositive motions	January 8, 2021	January 8, 2021
Parties exchange preliminary trial witness lists	January 15, 2021	January 19, 2021
Parties exchange final trial witness lists	February 26, 2021	March 12, 2021
Close of fact discovery	March 5, 2021	March 17, 2021
Close of Supplemental Discovery	March 19, 2021	March 24, 2021
Parties serve Rule 26(a)(2)(B) initial expert witness disclosures that contain complete statements of all opinions the witness will express and the basis and reasons for those opinions	March 24, 2021	March 26, 2021

Event	Schedule #1	Schedule #2
Parties serve Rule 26(a)(2)(D)(ii) expert witness disclosures that are intended solely to contradict or rebut evidence on the same subject matter identified by another Party under Rule 26(a)(2)(B)	April 14, 2021	April 12, 2021
Parties serve supplemental/rebuttal expert witness disclosures that are intended solely to contradict or rebut evidence on the same subject matter identified by another Party under Rule 26(a)(2)(D)(ii)	May 5, 2021	April 28, 2021
Parties exchange exhibit lists and, opening deposition designations, and all interrogatories and requests for admission a Party intends to use in its case-in-chief.	May 7, 2021	April 23, 2021
Each Party informs each non-party of all documents produced by that non-party that are on that Party's exhibit list and all depositions of that non-party that have been designated by any Party.	May 14, 2021	April 23, 2021
Close of expert discovery	May 19, 2021	May 5, 2021

Event	Schedule #1	Schedule #2
Each side exchanges its objections to the other side's exhibits, interrogatories, requests for admission, and opening deposition designations and its deposition counter-designations	May 21, 2021	April 30, 2021
Non-parties provide notice whether they object to the potential public disclosure at trial of any non-party documents and deposition designations included on the parties' exhibit lists, explain the basis for any such objections, and propose redactions where possible	May 21, 2021	April 30, 2021
Motions <i>in limine</i> to be exchanged	May 21, 2021	May 7, 2021
Parties and non-parties meet and confer regarding confidentiality of non-party documents on trial exhibit lists and non-party depositions	May 28, 2021	May 14, 2021
Parties meet and confer regarding admissibility of trial exhibits, interrogatories, requests for admission, and deposition designations	May 28, 2021	May 14, 2021
Parties meet and confer regarding disputes about confidentiality of Party documents on trial exhibit lists	May 28, 2021	May 14, 2021

Event	Schedule #1	Schedule #2
Oppositions to motions <i>in limine</i> to be exchanged	June 1, 2021	May 18, 2021
<i>Motions in limine</i> and oppositions to be filed	June 7, 2021	May 24, 2021
Joint submission regarding disputes about admissibility of trial exhibits, deposition designations, interrogatories and requests for admission	June 7, 2021	May 24, 2021
Joint submission regarding disputes about confidentiality of Party documents on trial exhibit lists to be filed	June 7, 2021	May 24, 2021
Joint submissions regarding disputes about confidentiality of each non-party's documents on trial exhibit lists and non-party depositions to be filed	June 7, 2021	May 24, 2021
Joint Proposed Final Pretrial Conference Order to be filed	June 7, 2021	May 24, 2021
Proposed Findings of Fact and Conclusions of Law to be filed	June 7, 2021	May 24, 2021
Pretrial briefs to be filed	June 7, 2021	May 24, 2021
Final pretrial conference	June 21, 2021	June 7, 2021
Parties submit hard copies of final trial exhibits to Court	June 24, 2021	June 24, 2021

Event	Schedule #1	Schedule #2
Trial begins	June 28, 2021	June 28, 2021
Post-trial briefs to be filed	7 business days after the conclusion of trial	7 business days after the conclusion of trial

Respectfully submitted,

Dated: December 18, 2020

/s/ Meagan K. Bellshaw  
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Dated: December 18, 2020

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Dated: December 18, 2020

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**[PROPOSED] ORDER**

IT IS HEREBY ORDERED that the Parties shall comply with Schedule # \_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE JEFFREY S. WHITE  
United States District Judge

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**ATTORNEY ATTESTATION**

I, Meagan K. Bellshaw, am the ECF user whose identification and password are being used to file the JOINT STIPULATION AND [PROPOSED] ORDER REGARDING CASE SCHEDULE. In compliance with Local Rule 5-1(i)(3), I hereby attest that all signatories hereto concur in this filing.

/s/ Meagan K. Bellshaw  
Meagan K. Bellshaw

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