

# **EXHIBIT W**

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21 Attorneys for Defendant  
22 SCHENKER, INC.

23 UNITED STATES DISTRICT COURT  
24 NORTHERN DISTRICT OF CALIFORNIA  
25 SAN JOSE DIVISION

26 ERIC M. WICKHAM, on behalf of himself,  
27 all others similarly situated,

28 *Plaintiff,*

vs.

29 SCHENKER, INC., a New York company;  
30 and DOES 1 through 50, inclusive,

31 *Defendants.*

32 Case No. 5:23-cv-00946-PCP

33 Assigned For All Purposes to the Honorable P.  
34 Casey Pitts, Courtroom 8

35 **JOINT STIPULATION AND [PROPOSED]  
36 ORDER RE: DISCOVERY AND PRE-TRIAL  
37 DEADLINES \*MODIFIED**

38 Complaint Filed: November 20, 2019

39 FAC Filed: August 18, 2021

40 SAC Filed: March 2, 2023

1 Plaintiff ERIC M. WICKHAM (“Plaintiff”) and SCHENKER, INC. (“Defendant”), through  
 2 their respective counsel, hereby stipulated and agree as follows:

3 WHEREAS, on July 21, 2023, Defendant filed a Motion to Transfer Venue of this matter to  
 4 the Eastern District of Virginia;

5 WHEREAS, by order dated August 7, 2023, the Court entered the following schedule and  
 6 deadlines:

Last day to file Motion for Class Certification	November 20, 2023
Last day to file Opposition to Motion for Class Certification	January 19, 2024 (60 days after filing of Motion for Class Certification)
Last day to file Reply to Motion for Class Certification	March 4, 2024 (45 days after filing of Opposition to Motion for Class Certification)
Non-Expert Discovery Cut-Off:	June 24, 2025 (30 days before Last Day to Hear Dispositive Motions)
Expert Disclosure (Initial):	March 26, 2025 (90 days before Expert Discovery Cut-off)
Expert Disclosure (Rebuttal):	April 24, 2025 (60 days before Expert Discovery Cut-off)
Expert Discovery Cut-Off:	June 24, 2025 (30 days before Last Day to Hear Dispositive Motions)
Deadline to Complete Settlement Conference:	August 15, 2025
Last Date to Hear Dispositive Motions:	July 24, 2025 (set by Court)
First Round of Trial Filings:	September 18, 2025 (5 weeks before FPTC)
Second Round of Trial Filings:	October 2, 2025 (3 weeks before FPTC)
Final Pretrial Conference:	October 23, 2025 at 1:30 p.m. (set by Court)
Trial:	December 8, 2025 at 9:00 a.m. (set by Court)

23 WHEREAS, the parties are waiting for the Court’s ruling on Defendant’s Motion to Transfer  
 24 Venue of this matter to the Eastern District of Virginia, heard and taken under submission on October  
 25 26, 2023;

26 WHEREAS, the parties have met and conferred regarding the anticipated timeline to complete  
 27 discovery and an expected schedule for other pre-trial deadlines, including Plaintiff’s Motion for  
 28 Class Certification, in the event the venue for this matter is not transferred to the Eastern District of

1 Virginia;

2 WHEREAS, the parties believe the stipulated schedule set forth below will be necessary to  
 3 permit the completion of preliminary written discovery, which is anticipated to be completed by on  
 4 or about January 12, 2024, while ensuring dispositive motion practice and other pre-trial matters are  
 5 handled well in advance of the trial date, in the event the venue of this matter stays is not transferred  
 6 to the Eastern District of Virginia;

7 NOW THEREFORE, the parties hereby stipulate and agree to the following schedule and  
 8 respectfully request that the Court enter the deadlines follows:

9	Last day to file Motion for Class Certification	March 12, 2024
10	Last day to file Opposition to Motion for Class Certification	April 26, 2024 (45 days after filing of Motion for Class Certification)
11	Last day to file Reply to Motion for Class Certification	June 10, 2024 (45 days after filing of Opposition to Motion for Class Certification)
12	Non-Expert Discovery Cut-Off:	June 24, 2025 (30 days before Last Day to Hear Dispositive Motions)
13	Expert Disclosure (Initial):	March 26, 2025 (90 days before Expert Discovery Cut-off)
14	Expert Disclosure (Rebuttal):	April 24, 2025 (60 days before Expert Discovery Cut-off)
15	Expert Discovery Cut-Off:	June 24, 2025 (30 days before Last Day to Hear Dispositive Motions)
16	Deadline to Complete Settlement Conference:	August 15, 2025
17	Last Date to Hear Dispositive Motions:	July 24, 2025 (set by Court)
18	First Round of Trial Filings:	September 18, 2025 (5 weeks before FPTC)
19	Second Round of Trial Filings:	October 2, 2025 (3 weeks before FPTC)
20	Final Pretrial Conference:	October 21, 2025 at 10:00 a.m. (set by Court)
21	Trial:	October 23, 2025 at 9:30 a.m. (set by Court)
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1 DATED: November 10, 2023

SETAREH LAW GROUP

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*/s/ William M. Pao* \_\_\_\_\_

3 SHAUN SETAREH  
4 WILLIAM M. PAO  
5 Attorneys for Plaintiff  
ERIC M. WICKHAM

6 DATED: November 10, 2023

7 LITTLER MENDELSON, P.C.

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*/s/ Jamie Lee* \_\_\_\_\_

10 CURTIS A. GRAHAM  
11 JAMIE Y. LEE  
12 Attorneys for Defendant  
13 SCHENKER, INC.

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1 **[PROPOSED] ORDER**

2 PURSUANT TO THE ABOVE STIPULATION, AND GOOD CAUSE APPEARING  
3 THEREFORE, IT IS SO ORDERED.

4 Having considered the parties' stipulation, and good cause appearing therefore, the Court  
5 orders the following schedule for discovery and pre-trial deadlines:

6 DATED: November 14, 2023

7   
8 Hon. P. Casey Pitts  
9 United States District Court Judge

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