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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 IN RE BANK OF AMERICA
12 CALIFORNIA UNEMPLOYMENT
13 BENEFITS LITIGATION
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Case No.: 21-md-2992-LAB-MSB
**ORDER GRANTING EXTENSION
OF SCHEDULING ORDER
DEADLINES [Dkt. 197]**

18 On December 21, 2023, Plaintiffs and Defendant jointly filed a request to
19 extend the deadlines set forth in the Court's Scheduling Order, (Dkt. 139), in this
20 consolidated multi-district litigation, *In re Bank of America California*
21 *Unemployment Benefits Litigation*, No. 21-md-2992-LAB-MSB. (Dkt. 197). The
22 Court will only modify dates set forth in a scheduling order upon a showing of good
23 cause. Fed. R. Civ. P. 16(b)(4). The good cause standard focuses on the diligence
24 of the party seeking the amendment. *Johnson v. Mammoth Recreations, Inc.*, 975
25 F.2d 604, 609 (9th Cir. 1992).

26 Here, according to the parties, they've been working diligently together to
27 complete discovery. (Dkt. 197 at 2). Despite Magistrate Judge Michael S. Berg's
28 efforts to facilitate discovery, the parties are unable to complete certain discovery

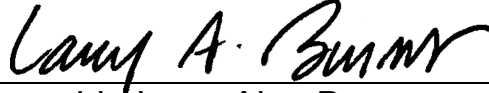
before Plaintiffs' deadline to file the motion for class certification. (*Id.*). Plaintiffs need to review hundreds of thousands of pages of documents produced, are waiting for outstanding interrogatories and requests for admissions, and are trying to schedule Rule 30(b)(6) depositions before filing the motion for class certification. (*Id.*). With the upcoming holidays, Defendant won't be able to schedule the depositions for Bank of America's personnel before mid-January 2024. (*Id.*). Additionally, Plaintiffs would like the Court to address Defendant's motion to dismiss and motion for reconsideration, and then have Defendant file an Answer, before moving for class certification. (*Id.* at 3). For good cause shown, the Court **GRANTS** the joint motion. The Court modifies the dates in the Scheduling Order as below. All other instructions provided to the parties in the Scheduling Order remain the same.

Event	Current Date	New Date
Motion for Class Certification	January 15, 2024	March 15, 2024
Opposition to Motion for Class Certification	N/A	April 26, 2024
Reply in Support of Motion for Class Certification	N/A	May 24, 2024
Deadline to Serve Written Discovery	January 15, 2024	March 15, 2024
Fact Discovery Completed	March 15, 2024	June 14, 2024
Expert Disclosures	April 19, 2024	July 19, 2024
Rebuttal Expert Disclosures	May 10, 2024	August 12, 2024
Expert Discovery Completed	May 31, 2024	September 13, 2024
Pretrial Motions Deadline	June 28, 2024	October 11, 2024
Confidential Settlement Statements	September 10, 2024	December 31, 2024

Mandatory Settlement Conference	September 17, 2024 at 9:30 a.m.	January 7, 2025 at 9:30 a.m.
Pretrial Disclosures	September 30, 2024	January 13, 2025
L.R. 16.1(f)(4) Conference	October 7, 2024	January 20, 2025
Proposed Pretrial Order to Defendant	October 14, 2024	January 27, 2025
Proposed Final Pretrial Conference Order	October 21, 2024	February 3, 2025
Final Pretrial Conference	October 28, 2024 at 12:00 p.m.	February 10, 2025 at 12:00 p.m.

IT IS SO ORDERED.

Dated: December 28, 2023



Honorable Larry Alan Burns
United States District Judge