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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

Before The Honorable Edward M. Chen, Judge

CAT BROOKS and RASHEED	)	
SHABAZZ, individually and on	)	
behalf of all others similarly	)	
situated,	)	
	)	
Plaintiffs,	)	
	)	
VS.	)	NO. C 21-01418 EMC
	)	
THOMSON REUTERS CORPORATION,	)	
	)	
Defendant.	)	
	)	

San Francisco, California
Tuesday, December 14, 2021

TRANSCRIPT OF REMOTE ZOOM VIDEO CONFERENCE PROCEEDINGS

APPEARANCES VIA ZOOM:

For Plaintiffs:

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REPORTED REMOTELY BY: Ana Dub, RMR, RDR, CRR, CCRR, CRG, CCG
CSR No. 7445, Official U.S. Reporter

Tuesday - December 14, 2021

2:54 p.m.

P R O C E E D I N G S

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THE CLERK: Calling Civil Action 21-1418, Brooks, et al. versus Thomson Reuters Corporation.

Counsel, please state your appearances for the record, beginning with counsel for plaintiff.

MR. MURA: Hello, Your Honor. Andre Mura for the plaintiffs, and I'm joined by my colleague Jeff Kosbie, who will be presenting for us today.

THE COURT: All right. Thank you, Mr. Mura.
Mr. Kosbie.

MS. FAHRINGER: Good afternoon, Your Honor. Susan Fahringer and Nicola Menaldo for Thomson Reuters. I'm Susan Fahringer, and I'll be speaking for us today.

THE COURT: All right. Thank you, Ms. Fahringer.
First of all, I'm curious. What are we looking at there? What harbor is that? I'm not familiar with it.

MS. FAHRINGER: This is the Puget Sound, but it's -- I wish that I were in the office. I'm still sequestered in my very dinghy and prison-like bedroom.

THE COURT: Oh, that's too bad.

MS. FAHRINGER: So I've got a beautiful background.
But that is the Puget Sound right outside Seattle. And I think Nicola --

1 **THE COURT:** Very nice.

2 **MS. FAHRINGER:** -- has the same one.

3 **THE COURT:** Very nice.

4 Ms. Menaldo has a very nice view as well. Is that a
5 different angle of the Sound, or where is that?

6 **MS. MENALDO:** It is also the Sound, different angle.
7 Different office in the same building. Also a virtual
8 background, unfortunately.

9 **THE COURT:** All right. Well, almost as nice as our court
10 reporter's background there.

11 I don't know about yours, Mr. Kosbie. It looks like a
12 closet.

13 **MR. KOSBIE:** I don't have the capacity for the virtual
14 background quite the way they do.

15 **THE COURT:** Okay. All right. We've got class cert motion
16 hearing scheduled for late next year. The parties have
17 indicated private mediation may be appropriate and would like a
18 deadline of mid-2022; namely, July 1st. Is that right?

19 **MS. FAHRINGER:** That's right.

20 **THE COURT:** And you are opting for private mediation?

21 **MS. FAHRINGER:** Right.

22 **THE COURT:** Okay.

23 **MR. KOSBIE:** Yes, Your Honor.

24 **THE COURT:** So we will note that.

25 So tell me, what do you intend to do between now and then

1 in terms of discovery and preparing for that mediation?

2 **MS. FAHRINGER:** Plaintiffs, you want to go first?

3 **MR. KOSBIE:** Yeah, Your Honor.

4 Both sides have served discovery requests, and we are
5 starting to work through those. Both sides have begun
6 producing documents.

7 We've reached out to some experts as well, and we
8 anticipate getting that moving probably sometime next year,
9 early next year.

10 We have not scheduled depositions yet, but I expect that
11 we will begin scheduling that, again, sometime early next year.

12 We almost have a protective order and ESI stipulation
13 agreed upon. So that has not delayed our document production.
14 And at least from plaintiffs' side, we anticipate completing
15 our discovery requests well ahead of that mediation deadline so
16 that we have sufficient information to evaluate our claims.

17 **THE COURT:** All right. Good.

18 What about from the defense perspective?

19 **MS. FAHRINGER:** Essentially, the same, Your Honor.

20 Discovery is proceeding apace, and the parties are in good
21 communication about each side's respective discovery requests
22 and responses. So we're having -- I think we're cooperating
23 well on that. Our ESI and protective order are, I think, soon
24 to be finalized. And I don't think anyone sees any issues at
25 this point. So we should be on track, from our perspective, as

1 well.

2 **THE COURT:** Good. Good. Then is there anything else we
3 need to cover, then, this afternoon?

4 **MS. FAHRINGER:** Not from our perspective.

5 **THE COURT:** All right. Then why don't we --

6 **MR. KOSBIE:** Your Honor, from --

7 **THE COURT:** Yes.

8 **MR. KOSBIE:** -- plaintiffs' perspective, if I may, one
9 small issue I just wanted to mention.

10 I know your standing order regarding discovery requires
11 that the parties meet and confer in person unless there's good
12 cause. And as we can see, lead counsel for plaintiff is in
13 Oakland and lead counsel for defendants is in Seattle. And we
14 just wanted to get a sense of the Court's preferences on that.

15 **THE COURT:** Yeah, yeah. And that's, frankly, a pre-COVID
16 standing order that's been around forever.

17 So, yeah, I'll excuse that. Given the distance, I'm not
18 going to make you all -- but I would like -- the important
19 thing is a live meet and confer, not the exchange of e-mails,
20 which often turns out to be unhelpful.

21 So, yes, to clarify, I will consider in-person to include
22 a live voice-to-voice exchange.

23 **MR. KOSBIE:** Thank you, Your Honor.

24 **MS. FAHRINGER:** Understood, Your Honor. Thank you for
25 that, Your Honor.

1 **THE COURT:** Certainly. Certainly. We're trying to keep
2 expenses down.

3 So why don't we do another status conference remotely
4 after your mediation deadline, sometime in mid-July perhaps?

5 **MS. FAHRINGER:** I think mid-July makes perfect sense. Let
6 me just think for a minute about -- our motion for class
7 certification is due on the 18th -- or, rather, plaintiffs'
8 motion is due on the 18th. I don't know if that would drive
9 the schedule, but that might be --

10 **THE COURT:** Sometime before that, then?

11 **MS. FAHRINGER:** That would make sense, yes.

12 **THE COURT:** Yeah. Shortly after the 1st of July, Angie.

13 **THE CLERK:** Your Honor, July 5th at 2:30.

14 **THE COURT:** All right.

15 **MR. KOSBIE:** That's okay for plaintiffs.

16 **THE COURT:** Good. Then we will see you then, unless, of
17 course, the mediation bears fruit, in which case I'll get a
18 different kind of pleading from you all.

19 So good luck in that, and Happy Holidays, everyone.

20 **MS. FAHRINGER:** Understood, Your Honor. Happy Holidays.

21 **MR. KOSBIE:** Happy Holidays, Your Honor.

22 **MR. MURA:** Thank you, Your Honor.

23 **THE COURT:** Thanks.

24 (Proceedings adjourned at 3:00 p.m.)

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CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript
from the record of proceedings in the above-entitled matter.

DATE: Thursday, February 24, 2022

Ana Dub

Ana Dub, CSR No. 7445, RDR, RMR, CRR, CCRR, CRG, CCG
Official United States Reporter