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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

TARLA MAKAEFF <i>et al.</i> ,)	
)	Civil No. 10-CV-940-IEG(WVG)
Plaintiffs,)	
v.)	AMENDED SCHEDULING ORDER
)	REGULATING PRE-CLASS
TRUMP UNIVERSITY, LLC, <i>et al.</i> ,)	CERTIFICATION DISCOVERY
)	
Defendants.)	
_____)	

The Court’s scheduling order is amended as follows:

1. Discovery shall commence immediately. Discovery will neither be bifurcated between class certification and the merits, nor conducted in stages. Plaintiffs are granted leave to depose 20 party witnesses and 10 third-party witnesses. Plaintiffs are further granted leave to propound a total of 50 interrogatories. Defendants are granted leave to depose 15 party witnesses and 5 third-party witnesses. Defendants are further granted leave to propound a total of 50 interrogatories between them, divided however they wish so long as the total number of interrogatories for all Defendants does not exceed 50.

2. Any motion to join other parties, to amend the pleadings, or to file additional pleadings shall be filed on or before July 31, 2012.

3. On or before March 27, 2012, all parties shall exchange with all other parties a list of all expert witnesses expected to be called for class certification purposes. The list shall include the name, address, and phone number of the expert and a brief statement identifying the subject areas as to which

1 the expert is expected to testify. The list shall also include the normal rates the expert charges for
2 deposition and trial testimony. On or before April 11, 2012, any party may supplement its designation
3 in response to any other party's designation so long as that party has not previously retained an expert to
4 testify on that subject.

5 4. Each expert witness designated by a party shall prepare a written report to be provided to
6 all other parties no later than May 16, 2012, containing the information required by Fed. R. Civ. P.
7 26(a)(2)(A) and (B).

8 **Except as provided in paragraph 4, below, any party that fails to make these disclosures**
9 **shall not, absent substantial justification, be permitted to use evidence or testimony not disclosed**
10 **at any hearing or at the time of trial. In addition, the Court may impose sanctions as permitted by**
11 **Fed. R. Civ. P. 37(c).**

12 5. Any party, through any expert designated, shall in accordance with Fed. R. Civ. P.
13 26(a)(2)(C) and Fed. R. Civ. P. 26(e), supplement any of its expert reports regarding evidence intended
14 solely to contradict or rebut evidence on the same subject matter identified in an expert report submitted
15 by another party. Any such supplemental reports are due on or before May 30, 2012.

16 6. Each party will be permitted to conduct limited and focused discovery in response, and as
17 a follow-up, to the opposing party's expert reports.

18 7. Plaintiffs shall file their motion for class certification on or before June 28, 2012.^{1/}

19 Motions will not be heard or calendared unless counsel for the moving party has obtained a
20 motion hearing date from the law clerk of the judge who will hear the motion. **Be advised that the**
21 **parties must file their moving papers within three (3) days of receiving the motion hearing date**
22 **from the Court. Be further advised that the period of time between the date you request a motion**
23 **date and the hearing date may be up to six weeks. Please plan accordingly.** For example, you may
24 need to contact the judge's law clerk at least six weeks in advance of the motion cut-off to calendar the
25 motion. Failure of counsel to timely request a motion date may result in the motion not being heard.

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28 ¹ Counsel should note that while historically motion cut-off deadlines issued by this Court were
deadlines for motion hearings, the motion cut-off dates now being issued establish deadlines for the parties to file
motions.

1 **Motions will not be heard on the above date unless you have obtained that date in advance from**
2 **the judge's law clerk.**

3 8. Briefs or memoranda in support of or in opposition to any pending motion shall not
4 exceed twenty-five (25) pages in length without permission of the judge who will hear the motion. No
5 reply memorandum shall exceed ten (10) pages without leave.

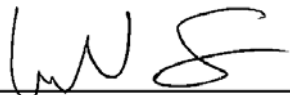
6 9. A telephonic status conference shall be held on July 17, 2012, at 8:30 a.m., at which time
7 the Court will review the status of the case and set additional case management deadlines as necessary.

8 10. The dates and times set forth herein will not be further modified except for good cause
9 shown.

10 11. Plaintiff's counsel shall serve a copy of this order on all parties that enter this case
11 hereafter.

12 IT IS SO ORDERED.

13 DATED: January 23, 2012

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16 Hon. William V. Gallo
17 U.S. Magistrate Judge
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