

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

MISTY HONG,  
Plaintiff,  
v.  
BYTEDANCE, INC., et al.,  
Defendants.

Case No. 19-CV-07792-LHK  
**ORDER PROPOSING CASE  
SCHEDULE**

On April 15, 2020, the parties filed a joint case management statement in connection with their upcoming April 22, 2020 initial case management conference. ECF No. 30 (“JCMS”). The parties’ statement raised several disputes, which the Court resolves below.

First, Plaintiff stated that she intends to amend her complaint by May 11, 2020, including to add additional plaintiffs and claims. JCMS at 9. Defendants counter that some of Plaintiff’s additional claims “lack a Rule 11 basis,” and that Plaintiff should instead focus on amendments removing improper defendants and improper claims. As an initial matter, the Court cautions Plaintiff against amending the complaint to include any parties or claims that are, for example, “not warranted by existing law,” or not supported by information and belief. *See* Fed. R. Civ. P. 11(b). Otherwise, the Court GRANTS Plaintiff’s request for leave to amend the complaint and sets a May 11, 2020 deadline as requested by the parties.

Second, Defendants request a staggered briefing schedule, whereby Defendants would first move to compel arbitration and then, if the request is denied, move to dismiss. JCMS at 10. Such a request would needlessly extend the pleading stage of this case, and therefore the Court DENIES Defendants’ request. Instead, Defendants shall file any motion to compel arbitration at the same

time as their motion to dismiss. Furthermore, to the extent possible, the Court strongly encourages Defendants to consolidate their arguments for dismissal into one motion.

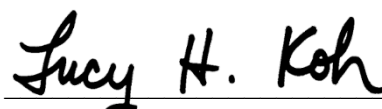
Third, Defendants request that the Court delay “Class Discovery” until after the Court rules on Defendants’ anticipated motions to compel arbitration and dismiss the case. JCMS at 12. The Court does not bifurcate discovery, and Defendants’ request is DENIED.

In light of the foregoing, the Court proposes the following case schedule. The parties shall file any objections by Friday, April 17, 2020, at 4 p.m. If there are no objections, the Court will adopt the following case schedule through class certification and continue the April 22, 2020 case management conference to November 19, 2020 at 2:00 p.m.

Scheduled Event	Date
Last Day to Amend the Pleadings/Add Parties	May 11, 2020
Deadline to File Motion to Compel Arbitration and Motion(s) to Dismiss	June 25, 2020
Further Case Management Conference	November 19, 2020 at 2:00 p.m.
Motion for Class Certification Briefing	Motion: January 29, 2021 Opposition: February 19, 2021 Reply: March 5, 2021
Hearing on Class Certification	March 25, 2021, at 1:30 p.m.
Close of Fact Discovery	June 25, 2021
Opening Expert Reports	July 9, 2021
Rebuttal Expert Reports	July 23, 2021
Close of Expert Discovery	August 6, 2021
Last Day to File Dispositive Motions (one per side in the entire case)	September 3, 2021
Hearing on Dispositive Motions	October 7, 2021 at 1:30 p.m.
Final Pretrial Conference	December 9, 2021 at 1:30 p.m.
Jury/Bench Trial	January 3, 2022 at 9:00 a.m.
Length of Trial	8 days

**IT IS SO ORDERED.**

Dated: April 16, 2020



LUCY H. KOH  
United States District Judge