

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DANIEL CROOKS and MATTHEW MILLER,
individually and on behalf of all others similarly
situated,

Plaintiffs,

vs.

DUNKIN' BRANDS GROUP INC. and SVC
SERVICE II LLC,

Defendants.

Civil Action No. 1:22-cv-10738-PBS

Hon. Patti B. Saris

JOINT STATEMENT REGARDING CASE SCHEDULE

Pursuant to this Court's Order entered on November 8, 2022 (ECF No. 37), Fed. R. Civ. P. 16(b), 16(c), 26(f), and D. Mass. L. Civ. R. 16.1, counsel for the Plaintiffs, Daniel Crooks and Matthew Miller ("Plaintiffs") and counsel for the Defendants, Dunkin' Brands Group Inc. and SVC Service II Inc. (formerly SVC Service II LLC) ("Defendants") (collectively, "the parties"), respectfully represent that they have conducted a case management planning conference on November 14, 2022, and jointly prepared and hereby submit this report in accordance with Rule 26(f).

I. CASE MANAGEMENT PLAN

A. Scheduling Conference with the Court

The parties do not request a pretrial conference with the Court before entry of a scheduling order pursuant to Fed. R. Civ. P. 16(b).

II. SCHEDULING DISCOVERY AND MOTION PRACTICE

1. Proposed Discovery Deadlines
 - i. **Initial Disclosures:** December 16, 2022
 - ii. **Amendments to Pleadings:** 90 days after date answer is filed
 - iii. **Commencement of Fact Discovery:** Immediately
 - iv. **Close of fact discovery:** June 30, 2023
 - v. **Expert Discovery (merits):** TBD after class certification

The parties have agreed that discovery requests and responses may be served by email.

3. Proposed Schedule for Class Certification
 - i. **Disclosure of names and subject matters of experts submitted in support of class certification:** June 30, 2023
 - ii. **Plaintiff's opening brief and disclosure of experts submitted in support of class certification:** 30 days after close of fact discovery
 - iii. **Defendant's opposition brief, disclosure of experts submitted in opposition to class certification, and any *Daubert* motions directed at Plaintiff's class certification experts:** 60 days after Plaintiff's class certification brief is filed
 - iv. **Plaintiff's reply in support of class certification and opposition to *Daubert* motions, if any:** 45 days after Defendant's opposition to class certification is filed
 - v. **Hearing on motion for class certification and any related *Daubert* motions:** 21 days after filing of Plaintiff's reply in support of class certification or as soon thereafter as the Court has availability

III. TRIAL BY MAGISTRATE JUDGE

The parties do not consent to trial by a Magistrate Judge.

VI. CERTIFICATIONS UNDER D. MASS. L. CIV. R. 16.1(d)(3)

The parties, by and through their undersigned attorneys and authorized representatives, hereby affirm that each party and that party's counsel have conferred:

- A. with a view of establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and
- B. to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

Dated: November 16, 2022

Respectfully submitted,

/s/ James J. Reardon, Jr.

James J. Reardon, Jr. (BBO #566161)

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*On behalf of Dunkin' Brands Group Inc. and SVC
Service II Inc.*

CERTIFICATE OF SERVICE

I, James J. Reardon, Jr., hereby certify that on this 16th day of November 2022, I caused true and correct copies of the foregoing JOINT STATEMENT REGARDING CASE SCHEDULE to be served upon all defense counsel of record via ECF.

/s/ James J. Reardon, Jr.
James J. Reardon, Jr.