

PLAINTIFF/PETITIONER: California Dep't of Fair Employment and Housing DEFENDANT/RESPONDENT: Cisco Systems, Inc.; Sundar Iyer; Ramana Kompella	CASE NUMBER: 20CV372366
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4. b. Provide a brief statement of the case, including any damages. *(If personal injury damages are sought, specify the injury and damages claimed, including medical expenses to date [indicate source and amount], estimated future medical expenses, lost earnings to date, and estimated future lost earnings. If equitable relief is sought, describe the nature of the relief.)* DFEH and real party in interest John Doe bring claims for FEHA caste discrimination, FEHA caste harassment, FEHA retaliation, and two claims for FEHA failure to prevent. Cisco denies the DFEH and John Doe's claims and deny that they are entitled to any damages or other relief. Cisco filed a motion to compel arbitration, which the Court denied. Cisco's demurrers and motion to strike arbitration are pending before the Court.
 (If more space is needed, check this box and attach a page designated as Attachment 4b.)

5. **Jury or nonjury trial**
 The party or parties request a jury trial a nonjury trial. *(If more than one party, provide the name of each party requesting a jury trial):*

6. **Trial date**
 a. The trial has been set for *(date)*:
 b. No trial date has been set. This case will be ready for trial within 12 months of the date of the filing of the complaint *(if not, explain)*:
 Trial court proceedings were previously stayed pending resolution of the parties' separate appeals.
 c. Dates on which parties or attorneys will not be available for trial *(specify dates and explain reasons for unavailability)*:
 1/23/2023-3/24/2023 (5 trials); 4/17-28/2023 (out of country); 5/8-12/2023 (arbitration); 6/1-30/2023 (trial); 7/28/2023-8/18/2023 (trial)

7. **Estimated length of trial**
 The party or parties estimate that the trial will take *(check one)*:
 a. days *(specify number)*: 5
 b. hours (short causes) *(specify)*:

8. **Trial representation (to be answered for each party)**
 The party or parties will be represented at trial by the attorney or party listed in the caption by the following:
 a. Attorney:
 b. Firm:
 c. Address:
 d. Telephone number: f. Fax number:
 e. E-mail address: g. Party represented:
 Additional representation is described in Attachment 8.

9. **Preference**
 This case is entitled to preference *(specify code section)*:

10. **Alternative dispute resolution (ADR)**
 a. **ADR information package.** Please note that different ADR processes are available in different courts and communities; read the ADR information package provided by the court under rule 3.221 of the California Rules of Court for information about the processes available through the court and community programs in this case.
 (1) For parties represented by counsel: Counsel has has not provided the ADR information package identified in rule 3.221 to the client and reviewed ADR options with the client.
 (2) For self-represented parties: Party has has not reviewed the ADR information package identified in rule 3.221.
 b. **Referral to judicial arbitration or civil action mediation (if available).**
 (1) This matter is subject to mandatory judicial arbitration under Code of Civil Procedure section 1141.11 or to civil action mediation under Code of Civil Procedure section 1775.3 because the amount in controversy does not exceed the statutory limit.
 (2) Plaintiff elects to refer this case to judicial arbitration and agrees to limit recovery to the amount specified in Code of Civil Procedure section 1141.11.
 (3) This case is exempt from judicial arbitration under rule 3.811 of the California Rules of Court or from civil action mediation under Code of Civil Procedure section 1775 et seq. *(specify exemption)*:
 equitable relief, multiple claims, plaintiff's claimed damage

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10. c. Indicate the ADR process or processes that the party or parties are willing to participate in, have agreed to participate in, or have already participated in (*check all that apply and provide the specified information*):

	The party or parties completing this form are willing to participate in the following ADR processes (<i>check all that apply</i>):	If the party or parties completing this form in the case have agreed to participate in or have already completed an ADR process or processes, indicate the status of the processes (<i>attach a copy of the parties' ADR stipulation</i>):
(1) Mediation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Mediation session not yet scheduled <input type="checkbox"/> Mediation session scheduled for (date): <input type="checkbox"/> Agreed to complete mediation by (date): <input checked="" type="checkbox"/> Mediation completed on (date): 2/1/20; 6/10/20
(2) Settlement conference	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Settlement conference not yet scheduled <input type="checkbox"/> Settlement conference scheduled for (date): <input type="checkbox"/> Agreed to complete settlement conference by (date): <input type="checkbox"/> Settlement conference completed on (date):
(3) Neutral evaluation	<input type="checkbox"/>	<input type="checkbox"/> Neutral evaluation not yet scheduled <input type="checkbox"/> Neutral evaluation scheduled for (date): <input type="checkbox"/> Agreed to complete neutral evaluation by (date): <input type="checkbox"/> Neutral evaluation completed on (date):
(4) Nonbinding judicial arbitration	<input type="checkbox"/>	<input type="checkbox"/> Judicial arbitration not yet scheduled <input type="checkbox"/> Judicial arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete judicial arbitration by (date): <input type="checkbox"/> Judicial arbitration completed on (date):
(5) Binding private arbitration	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Private arbitration not yet scheduled <input type="checkbox"/> Private arbitration scheduled for (date): <input type="checkbox"/> Agreed to complete private arbitration by (date): <input type="checkbox"/> Private arbitration completed on (date):
(6) Other (<i>specify</i>):	<input type="checkbox"/>	<input type="checkbox"/> ADR session not yet scheduled <input type="checkbox"/> ADR session scheduled for (date): <input type="checkbox"/> Agreed to complete ADR session by (date): <input type="checkbox"/> ADR completed on (date):

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11. Insurance

- a. Insurance carrier, if any, for party filing this statement (*name*): Zurich American Insurance Company
- b. Reservation of rights: Yes No
- c. Coverage issues will significantly affect resolution of this case (*explain*):

12. Jurisdiction

Indicate any matters that may affect the court's jurisdiction or processing of this case and describe the status.

Bankruptcy Other (*specify*):

Status:

13. Related cases, consolidation, and coordination

- a. There are companion, underlying, or related cases.
 - (1) Name of case:
 - (2) Name of court:
 - (3) Case number:
 - (4) Status:
- Additional cases are described in Attachment 13a.
- b. A motion to consolidate coordinate will be filed by (*name party*):

14. Bifurcation

- The party or parties intend to file a motion for an order bifurcating, severing, or coordinating the following issues or causes of action (*specify moving party, type of motion, and reasons*):
Cisco seeks to bifurcate liability and damages

15. Other motions

- The party or parties expect to file the following motions before trial (*specify moving party, type of motion, and issues*):
Motion for summary judgment or summary adjudication. Motions in limine.

16. Discovery

- a. The party or parties have completed all discovery.
- b. The following discovery will be completed by the date specified (*describe all anticipated discovery*):

<u>Party</u>	<u>Description</u>	<u>Date</u>
Defendant, Cisco Systems, Inc.	Fact Discovery	TBD based on trial date
Defendant, Cisco Systems, Inc.	Expert Discovery	TBD based on trial date

- c. The following discovery issues, including issues regarding the discovery of electronically stored information, are anticipated (*specify*):
DFEH has responded to voluminous discovery requests that overlap with information and documents provided during the underlying investigation which was unnecessary prior to the Court's ruling on the pending demurrers, motions to strike. Cisco and DFEH have agreed to mediate and are in the process of selecting a mediator.

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17. Economic litigation

- a. This is a limited civil case (i.e., the amount demanded is \$25,000 or less) and the economic litigation procedures in Code of Civil Procedure sections 90-98 will apply to this case.
- b. This is a limited civil case and a motion to withdraw the case from the economic litigation procedures or for additional discovery will be filed (if checked, explain specifically why economic litigation procedures relating to discovery or trial should not apply to this case):

18. Other issues

- The party or parties request that the following additional matters be considered or determined at the case management conference (specify):
 Defendant requests the Court set a hearing for its demurrers and motion to strike that were pending at the time of the appeal. Defendant understands Plaintiff wishes to set hearing for its motion to proceed under a fictitious name on the papers already filed.

19. Meet and confer

- a. The party or parties have met and conferred with all parties on all subjects required by rule 3.724 of the California Rules of Court (if not, explain):
- b. After meeting and conferring as required by rule 3.724 of the California Rules of Court, the parties agree on the following (specify):

20. Total number of pages attached (if any): _____

I am completely familiar with this case and will be fully prepared to discuss the status of discovery and alternative dispute resolution, as well as other issues raised by this statement, and will possess the authority to enter into stipulations on these issues at the time of the case management conference, including the written authority of the party where required.

Date: December 30, 2022

Nicholas J. Horton

 (TYPE OR PRINT NAME)



 (SIGNATURE OF PARTY OR ATTORNEY)

 (TYPE OR PRINT NAME)



 (SIGNATURE OF PARTY OR ATTORNEY)

Additional signatures are attached.

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PROOF OF SERVICE

I am a citizen of the United States, more than eighteen years old and not a party to this action. My business address is Orrick, Herrington & Sutcliffe LLP, The Orrick Building, 405 Howard Street, San Francisco, CA 94105-2669. On December 30, 2022, I served the following documents:

• **CASE MANAGENT STATEMENT**

By Electronic Service: On all of the interested parties in this action by transmitting true and correct copies of the documents identified above in portable document format from the email address kvasquez@orrick.com to the email addresses below.

Jamie Crook Jamie.Crook@dfeh.ca.gov	Alexander Hernaez ahernaez@foxrothschild.com
Dylan Colbert Dylan.Colbert@dfeh.ca.gov	Andrew Esler aesler@foxrothschild.com
Siri Thanasombat siri.thanasombat@dfeh.ca.gov	<i>Attorneys for Appellants Sundar Iyer and Ramana Kompella</i>
Stephanie Newton stephanie.newton@dfeh.ca.gov <i>Attorneys for Respondent California Department of Fair Employment and Housing</i>	

I declare under penalty of perjury that the foregoing is true and correct. Executed on December 30, 2022 at San Rafael, California.

Karen Vasquez