

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDREA BARTZ, ANDREA BARTZ, INC.,
CHARLES GRAEBER, KIRK WALLACE
JOHNSON, and MJ + KJ, INC., individually and
on behalf of others similarly situated,

Plaintiffs,

v.

ANTHROPIC PBC,

Defendant.

Case No. 3:24-cv-05417-WHA

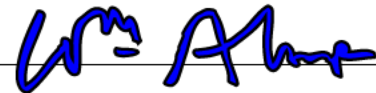
**[PROPOSED] ORDER RE
APPOINTING SPECIAL MASTER FOR
DISCOVERY DISPUTES**

Judge: Hon. William Alsup
Courtroom: 12, 19th Floor
Complaint Filed: August 19, 2024
Trial Date: December 1, 2025

IT IS HEREBY ORDERED THAT:

Having considered the Parties' Joint Stipulation re Special Master for Discovery Disputes (Dkt. No. 288, reprinted below), the Court hereby GRANTS the Joint Stipulation. For avoidance of doubt, the district judge will decide plaintiffs' letter motion to compel communications involving third-party consultants (Dkt. No. 223, Part I). And, referred to Special Master McElhinny for decision are the remaining portions of plaintiffs' same letter motion (Dkt. No. 223, Parts II-III), defendant's newly filed discovery dispute concerning Rule 30(b)(6) depositions (Dkt. No. 291), and all future discovery disputes.

Dated: August 8, 2025.



THE HONORABLE WILLIAM ALSUP
United States District Judge

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**JOINT STIPULATION AND
[PROPOSED] ORDER RE SPECIAL
MASTER FOR DISCOVERY DISPUTES**

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1 Pursuant to this Court's July 23, 2025 order, Dkt. 263, Plaintiffs Andrea Bartz, Andrea
2 Bartz, Inc., Charles Graeber, Kirk Wallace Johnson, and MJ + KJ, Inc., and Defendant Anthropic
3 PBC enter into the following stipulation, subject to the Court's approval, as follows:

4 WHEREAS, the Court has requested appointment of a Discovery Master in this matter
5 pursuant to Fed. R. Civ. Proc. 53;

6 WHEREAS, the Court has proposed the appointment of Harold J. McElhinny to supervise
7 discovery and resolve all discovery disputes;

8 WHEREAS, the Court requested that the parties assist the court in drafting the terms of
9 reference;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, and
11 subject to approval by the Court:

- 12 1) The Parties accept the Court's proposed appointment of Harold J. McElhinny as a Discovery
13 Master in this matter to supervise discovery and resolve all discovery disputes;
- 14 2) The Discovery Master shall serve until further order of the Court;
- 15 3) The Discovery Master shall be compensated for time reasonably expended in connection
16 with this matter at the rate of \$300 per hour and for any reasonably necessary out-of-pocket
17 expenses;
- 18 4) The Discovery Master's fees shall be paid as follows: 50% by Plaintiffs and 50% by
19 Defendant;
- 20 5) The Discovery Master has the authority to reallocate his fees, if circumstances warranted,
21 to the more culpable party;
- 22 6) The Discovery Master has the authority to impose costs and attorney's fees to the prevailing
23 side of a dispute according to Rule 37;
- 24 7) The Discovery Master's rulings would be final except as to matters of privilege, which
25 maybe "appealed" pursuant to Fed. R. Civ. Proc. 53;
- 26 8) There shall be no ex parte communications with the Discovery Master;
- 27 9) The Discovery Master will proceed with all reasonable diligence;
- 28

Dated: August 8, 2025

Respectfully submitted

By: /s/ Justin A. Nelson

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ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I attest that all other signatories listed, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.

Date: August 8, 2025

/s/ Rachel Geman

Rachel Geman