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9 Attorneys for Defendants eXp REALTY, LLC, eXp
WORLD HOLDINGS, INC. and GLENN SANFORD

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

FABIOLA ACEVEDO, JANE DOE 1,
JANE DOE 2, JANE DOE 3, and
JOHN DOE 1,

Plaintiffs,

vs.

EXP REALTY, LLC, EXP WORLD
HOLDINGS, INC., MICHAEL L.
BJORKMAN; DAVID S. GOLDEN;
GLENN SANFORD; BRENT GOVE;
and DOES 1-10,

Defendants.

Case No. 2:23-cv- 01304-AB-AGR

**DECLARATION OF WILLIAM E.
PALLARES IN SUPPORT OF eXp
DEFENDANTS' *EX PARTE*
APPLICATION TO MODIFY THE
SCHEDULING ORDER**

Trial Date: September 18, 2025

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DECLARATION OF WILLIAM E. PALLARES

I, William E. Pallares, declare as follows:

1. I am an attorney duly admitted to practice in all of the courts of the State of California and I am a partner with Lewis Brisbois Bisgaard & Smith LLP, attorneys of record for eXp Realty, LLC, eXp World Holdings, Inc. and Glenn Sanford herein. The facts set forth herein are of my own personal knowledge, and if sworn I could and would competently testify thereto.

SUMMARY OF RELEVANT DISCOVERY HISTORY

2. On August 22, 2024, the parties conducted the deposition of eXp Realty, LLC’s 30(b)(6), Holly Mabery, via zoom on the topic of Corporate Structure.

3. On August 27, 2024, the parties conducted the deposition of eXp Realty, LLC’s 30(b)(6), Cory Haggard, at Salt Lake City, Utah on the topic of Complaint Handling.

4. On October 18, 2024, the parties conducted the deposition of Felicia Johnette Gentry, a third-party witness, at City of Frisco, Texas.

5. On November 4, 2024, eXp noticed the depositions of the Plaintiffs as follows: Plaintiff Fabiola Acevedo for December 9, 2024; Plaintiff Chrissy Lundy for December 11, 2024; Plaintiff Tami Sims for December 12, 2024; and Plaintiff Megan Farrel-Nelson for December 16, 2024.

6. However, counsel for other defendants advised that they were not available the dates noticed for these deposition but for December 16, 2024.

7. With the understanding that Plaintiffs would seek to modify the scheduling order, eXp agreed to forgo Plaintiffs’ depositions and allow the deposition of eXp’ 30(b)(6) to proceed on December 16, 2024.

8. On November 21, 2024, the parties conducted the deposition of Noelle Nielsen, a third-party witness, at Minneapolis, Minnesota.

9. On November 22, 2024, the parties conducted the deposition of Seth

1 Nielsen, a third-party witness, at Minneapolis, Minnesota.

2 10. On December 16, 2024, the parties conducted the continued deposition
3 of eXp Realty, LLC's 30(b)(6), Cory Haggard, at Salt Lake City, Utah on the topic
4 of Complaint Handling.

5 11. On January 6, 2025, the parties conducted the deposition of Stacey
6 Onnen, a third-party witness, at Denver, Colorado.

7 12. On January 10, 2025, the parties conducted the first session of
8 Courtney Keating's deposition, a third-party witness, at Costa Mesa, California.

9 13. On January 23, 2025, the parties conducted the first session of Plaintiff
10 Megan Farrell-Nelson's deposition, at Los Angeles, California. The parties have yet
11 to schedule Ms. Farrell-Nelson's second session.

12 14. As to the month of February 2025, other defense counsel were not
13 available for depositions because of conflicts.

14 15. Notwithstanding, on February 4, 2025, eXp noticed the amended
15 deposition of Plaintiffs as follows: Plaintiff Fabiola Acevedo for March 4, 2025;
16 Plaintiff Tami Sims for March 5, 2025; and Plaintiff Chrissy Lundy for March 7,
17 2025.

18 16. Nevertheless, other defense advised that they were unavailable for
19 depositions but for March 4, 2025.

20 17. Counsel for Plaintiffs and eXp then agreed to set Plaintiff Tami Sims'
21 deposition for March 4, 2025. The parties were unable to complete Ms. Sims'
22 deposition and are meeting and conferring on dates to conclude her deposition.

23 18. Counsel for the other defendants have advised that they are available
24 for a few days in March to take depositions and limited dates for the month of April.

25 **SUMMARY OF MEET AND CONFER EFFORTS**
26 **TO SCHEDULE DEPOSITIONS**

27 19. While the parties have set and conducted ten (10) depositions, they still
28 need to take the depositions of the five (5) individually named parties. Moreover,

1 they are approximately ten (10) additional third-party witnesses to be deposed.
2 Also, Plaintiffs have requested the depositions of numerous eXp’s employees.

3 20. On March 11, 2025, the parties met and conferred via video conference
4 to discuss the scheduling of party depositions and to ascertain other depositions the
5 parties intend to take.

6 21. As a result of the meet and confer, the parties have scheduled the
7 following depositions:

Deposition Date	Deponent
March 21, 2025	Defendant Glenn Sanford
March 28, 2025	eXp’s 30(b)(6), Defendant Michael Bjorkman or Defendant David Golden
April 4, 2025	Defendant Brent Gove
April 7, 2025	Plaintiff Tami Sims
April 9, 2025	Plaintiff Fabiola Acevedo
April 18, 2025	Plaintiff Christy Lundy
April 25, 2025	Third-party Patrick Wannis, Phd.

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20 22. With the pace of deposition to date and the availability of counsel, the
21 parties will need to modify the Scheduling Order to allow for additional time to
22 complete the number of anticipated depositions.

23 **SUMMARY OF DOCUMENT PRODUCTION**

24 23. Further, the parties continue to produce documents in compliance with
25 their ESI protocol.

26 24. To date, the parties have exchanged in excess of 24,000 pages of
27 documents.

28 25. Plaintiffs have identified twenty (20) custodians for whom Plaintiffs

1 have requested ESI discovery from eXp. To date, eXp has produced documents
2 from three (3) custodians and is preparing a production for an additional two (2),
3 which should occur within a week from the date of this declaration.

4 26. Plaintiffs recently produced thousands of pages of documents prior to
5 the deposition of Plaintiff Tami Sims. While the parties have taken the first session
6 of her deposition, the parties reserved their rights to additional questioning upon
7 processing her document production.

8 **SUMMARY OF MEET AND CONFER FOR PLAINTIFFS’**
9 **INDEPENDENT MENTAL EXAMINATIONS**

10 27. Pursuant to Rule 35, eXp has advised Plaintiffs’ counsel that it intends
11 to conduct independent mental examinations of Plaintiffs.

12 28. As such, eXp has identified Marc A. Coehn, M.D., M.S. as its forensic
13 consultant in psychiatry and behavioral sciences. Dr. Cohen will conduct the
14 psychiatric evaluation of each Plaintiff.

15 29. eXp has advised Plaintiffs’ counsel that Dr. Cohen is available to
16 conduct the evaluations on the following dates: April 29, 2025; April 30, 20; May
17 2, 2025; May 8, 2025; May 9, 2025; and May 14, 2025.

18 30. eXp and Plaintiffs need to meet and confer as to Plaintiffs’ availability
19 and the scope of the evaluations.

20 **STATUS OF SETTLEMENT DISCUSSIONS**

21 31. Pursuant to the Court’s scheduling order, the parties selected private
22 mediation before the Honorable Gail Andler (Ret.) with JAMS.

23 32. The first session of mediation occurred on January 27, 2025. The
24 parties have scheduled additional sessions to take place on April 14 & 15, 2025.

25 33. Counsel for eXp and Plaintiffs have met and conferred with other
26 defense counsel regarding a modification of the scheduling order. All parties, but
27 for David Golden, agree to a modification of the scheduling order for a period of
28 sixty (60) days.

1 I declare under penalty of perjury under the laws of the United States of
2 America that the foregoing is true and correct and that this declaration was executed
3 on this 19th day of March, 2025, at Los Angeles, California.

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5 /s/ William E. Pallares
6 William E. Pallares
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CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of March, 2025, I electronically filed the foregoing DECLARATION OF PALLARES ISO EX PARTE APPLICATION TO MODIFY HE SCHEDULING ORDER with the Clerk of the Court using the CM/ECF system.

/s/ William E. Pallares
William E. Pallares