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8 *Attorneys for Plaintiff*

9  
 10 **IN THE UNITED STATES DISTRICT COURT**  
 11 **FOR THE DISTRICT OF NEVADA**

12 ALLSTATE INSURANCE )  
 13 COMPANY, an )  
 Illinois Insurance Company, )  
 14 )  
 Plaintiff, )

15 v. )

16 KIA MOTORS AMERICA, INC., a )  
 17 California )  
 corporation, and KIA MOTORS )  
 18 CORPORATION, a foreign corporation )  
 19 Defendants. )

Case No. 2:16-cv-01221-MMD-NJK

**JOINT STIPULATION TO  
 TRANSFER VENUE TO THE  
 UNITED STATES DISTRICT  
 COURT FOR THE CENTRAL  
 DISTRICT OF CALIFORNIA**

20  
 21 \_\_\_\_\_

1 Pursuant to 28 U.S.C. § 1404, the Parties hereby file this Stipulation to Transfer  
2 Venue to the United States District Court for the Central District of California. Plaintiff  
3 Allstate Insurance Company, an Illinois Insurance Company (“Allstate”), and Defendants  
4 Kia Motors America, Inc., a California Corporation, and Kia Motors Corporation, a  
5 foreign corporation (collectively, the “Defendants”), by and through their respective  
6 counsel of record, hereby stipulate as follows:

7 WHEREAS, on June 2, 2016, Allstate filed its Complaint in this District. There is  
8 no dispute between the parties that venue is proper in this District pursuant to 28 U.S.C.  
9 §1391.

10 WHEREAS, Defendants filed a Motion to Transfer Venue to the Central District of  
11 California, together with a Memorandum of Points and Authorities in Support Thereof,  
12 on August 1, 2016;

13 WHEREAS, Allstate currently must respond to Defendants’ Motion on or before  
14 August 15, 2016;

15 WHEREAS, the Parties have engaged in positive negotiations on the issue of  
16 transfer and have reached agreement that the case should be transferred to the Central  
17 District of California;

18 WHEREAS, in the interest of judicial efficiency, and with a desire to not overly  
19 burden the courts or the Parties with extensive briefings and/or hearings on this issue,  
20 Allstate has agreed to stipulate to Defendants’ Motion to Transfer Venue to the Central  
21 District of California;

22 WHEREAS, as part of this Stipulation, Defendants have agreed to not move to  
23 dismiss defendant Kia Motors Corporation on the grounds that the Central District of  
24 California lacks personal jurisdiction during the course of this action;

25 WHEREAS, transfer of this matter is controlled by 28 U.S.C. § 1404, which  
26 provides:

27 For the convenience of the parties and witnesses, in the interest of justice, a  
28 district court may transfer any civil action to any other district or division where

1 it might have been brought or to any district or division to which all parties have  
2 consented.

3 WHEREAS, as thoroughly discussed by Defendants in the Memorandum of Points  
4 and Authorities in support of their Motion to Transfer Venue, this action could have been  
5 brought in the Central District of California;

6 NOW, THEREFORE, in consideration of the foregoing, Allstate and Defendants  
7 agree and hereby stipulate, through their respective counsel of record, to:

8 Transfer this action to the United States District Court for the Central District of  
9 California and request that this action be transferred accordingly.

10 Dated: August 12, 2016

/s/ Berna L. Rhodes-Ford

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20 Dated: August 12, 2016

/s/ D. Lee Roberts Jr.

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1  
2 **ORDER**

3 Based on the stipulation of the parties, it is hereby ORDERED that Defendants'  
4 motion is GRANTED and the action is ordered transferred to the United States District  
5 Court for the Central District of California to be reassigned to a judge in the Central  
6 District for all purposes.  
7

8 IT IS SO ORDERED:  
9 

10 \_\_\_\_\_  
11 UNITED STATES DISTRICT JUDGE

12 Dated: August 15, 2016.  
13

14 Submitted by:

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