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11 Attorneys for Plaintiffs,  
FRESNO MOTORS, LLC and SELMA MOTORS, INC.  
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13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15 FRESNO MOTORS, LLC, a California  
16 limited liability company; and SELMA  
MOTORS, INC., a California corporation;

17 Plaintiffs,

18 vs.

19 MERCEDES-BENZ USA, LLC, a Delaware  
20 limited liability company; and DOES 1  
through 100, (INCLUSIVE),

21 Defendants.  
22

Case No. C11-4478 EMC

Assigned to: Judge Edward M. Chen  
Courtroom: 5

**STIPULATION AND ORDER**  
**(1) TRANSFERING VENUE TO EASTERN**  
**DISTRICT, FRESNO DIVISION; (2)**  
**VACATING HEARING OF PENDING**  
**MOTION TO DISMISS; AND (3)**  
**EXTENDING DEADLINES FOR FILING**  
**AND SERVICE OF PLAINTIFFS'**  
**OPPOSITION AND DEFENDANT'S REPLY**

23 It is hereby stipulated, by and between counsel for the parties, that pursuant to 28 U.S.C.  
24 section 1404 (a), this matter shall be transferred to the Eastern District of California, Fresno  
25 Division, for all further proceedings.

26 It is further stipulated that the Case Management Conference and hearing of the pending  
27 Motion to Dismiss Plaintiffs' First Amended Complaint, both scheduled for December 16, 2011  
28 at 1:30 p.m., shall be taken off calendar, and that the Motion to Dismiss shall be reset for hearing


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by the transferee Court at the transferee Court's convenience.

It is further stipulated that Plaintiffs' opposition to the Motion to Dismiss shall be filed and served no later than 10 days following the transferee Court's service, on Plaintiffs' counsel, of the transferee Court's notice of receipt and docketing of this matter in the Eastern District of California, Fresno Division, and that Defendant's reply to the opposition shall be filed and served no later than 7 days following service of Plaintiffs' opposition on Defendant's counsel. In calculating the time within which the opposition or reply must be filed, the parties request that the following days shall not be included: December 24, 25, 26 and 31, 2011, and January 1 and 2, 2012.

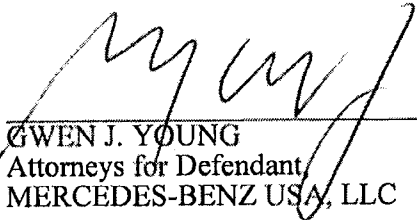
DATED: November 29, 2011

WILLOUGHBY, STUART & BENING

By   
\_\_\_\_\_  
ALEXANDER F. STUART  
Attorneys for Plaintiffs,  
FRESNO MOTORS, LLC and SELMA MOTORS,  
INC.

DATED: November 29, 2011

WHEELER, TRIGG, O'DONNELL, LLP

By   
\_\_\_\_\_  
GWEN J. YOUNG  
Attorneys for Defendant,  
MERCEDES-BENZ USA, LLC

**ORDER**

The parties having stipulated, pursuant to 28 U.S.C. section 1404 (a), to the transfer of this matter to the Eastern District of California, Fresno Division; and the parties having further stipulated to extend the deadlines for the filing and service of Plaintiffs' opposition to the pending Motion to Dismiss Plaintiffs' First Amended Complaint, and the filing and service of Defendant's reply to the opposition;

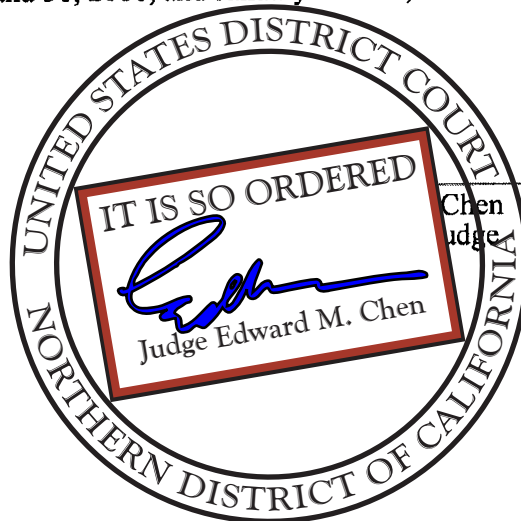
IT IS HEREBY ORDERED:

The Clerk of the Court is instructed to transfer this case to the United States District Court for the Eastern District of California, Fresno Division, for all further proceedings.

The Case Management Conference and hearing of the pending Motion to Dismiss Plaintiffs' First Amended Complaint, both scheduled for December 16, 2011 at 1:30 p.m., are taken off calendar.

Plaintiffs' opposition to the Motion to Dismiss shall be served and filed in the transferee Court no later than 10 days following service, on Plaintiffs' counsel, of the transferee Court's notice of receipt and docketing of this matter in the Eastern District of California, Fresno Division. Defendant's reply to the opposition shall be filed and served in the transferee Court no later than 7 days following service of Plaintiffs' opposition on Defendant's counsel. In calculating the time within which the opposition or reply must be filed, the following days shall not be included: December 24, 25, 26 and 31, 2011, and January 1 and 2, 2012.

Dated: 11/30, 2011



WILLOUGHBY, STUART & BENING

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