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5 Attorneys for Defendant  
 TOYOTA MOTOR SALES U.S.A., INC.

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 8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

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11 MELINDA ESPINELI and MOHAMMAD  
 MOGHADDAM, as individuals and on behalf  
 12 of all others similarly situated,

13 Plaintiffs,

14 vs.

15 TOYOTA MOTOR SALES U.S.A., INC., a  
 California corporation; TOYOTA MOTOR  
 16 CORPORATION, a Japanese Corporation; and  
 DOES 1 through 100, inclusive,

18 Defendants.

Case No. 2:17-cv-00698-KJM-CKD

Judge: Hon. Kimberly J. Mueller

**STIPULATION AND ORDER  
 TO CONTINUE STATUS CONFERENCE  
 AND MOTION HEARING**

Complaint Filed: Mar. 31, 2017

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20 Pursuant to Eastern District of California Civil Local Rules 143 and 144, Plaintiffs Melinda  
 21 Espineli and Mohammad Moghaddam (“Plaintiffs”) and Defendant Toyota Motor Sales U.S.A., Inc.  
 22 (“Defendant”) (jointly “Parties”), by and through their respective attorneys, hereby stipulate as  
 23 follows:

**STIPULATION**

25 On August 9, 2018, the Court, on its own motion set a Status Conference for October 25, 2018.

26 On September 19, 2018, Plaintiffs filed their First Amended Complaint.

27 On October 4, 2018, the Court, on its own motion vacated the Status Conference set for  
 28 October 25, 2018, and reset it for November 1, 2018.

1 On October 17, 2018, Defendant filed its Motion to Dismiss Plaintiff's First Amended  
2 Complaint, setting the motion hearing for February 22, 2019 at 10:00 a.m.

3 On October 19, 2018, the Court, on its own motion vacated the Status Conference set for  
4 November 1, 2018 and the hearing on Defendant's Motion to Dismiss set for February 22, 2019, and  
5 reset them both for January 11, 2019 at 10:00 a.m.

6 Counsel for Defendant, Amir Nassihi, has a conflict on January 11, 2019, due to a previously  
7 scheduled hearing on Motion for Summary Judgment and Pretrial Motions in *Brown v.*  
8 *GlaxoSmithKline*, No. 15CV23066 (Circuit Court of Oregon, County of Multnomah)

9 The parties have met and conferred and have agreed, with the Court's permission, to reschedule  
10 (1) The Status (Pretrial Scheduling) Conference and (2) Defendant's Motion to Dismiss to February  
11 8, 2019.

12 The requested continuance and modifications would not impact the case schedule, which will  
13 be set at or following the Status (Pretrial Scheduling) Conference. Subject to the Court's approval,  
14 the parties stipulate as follows:

- 15 1. The Status Conference and Motion Hearing on Defendant's Motion to Dismiss (ECF  
16 No. 46) shall be continued to February 8, 2019.

17  
18 Dated: November 5, 2018

Respectfully submitted,

19 SHOOK, HARDY & BACON L.L.P.

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21 By: /s/ Amir Nassihi

22 Amir Nassihi

23 Attorneys for Defendant  
24 Toyota Motor Sales U.S.A.

25 Dated: November 5, 2018

Respectfully submitted,

26 KERSHAW, COOK & TALLEY PC

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By: /s/ Ian Barlow (as authorized on 11/5/18)

William A. Kershaw  
Stuart C. Talley  
Ian J. Barlow

Attorneys for Plaintiffs  
Melinda Espineli and Mohammad Moghaddam

**IT IS SO ORDERED.** The Status Conference and Motion Hearing on Defendant's Motion to Dismiss (ECF No. 46) are continue from January 11, 2019 to February 8, 2019, at 10:00 a.m.

DATED: November 14, 2018.

  
UNITED STATES DISTRICT JUDGE