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Attorneys for Defendant
FCA US LLC f/k/a CHRYSLER GROUP LLC

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

SHAWN ALGER as an individual and on behalf
of all others similarly situated,

Plaintiff,

vs.

FCA US LLC f/k/a CHRYSLER GROUP LLC, a
Delaware Corporation, and DOES 1 through 100,
inclusive ,

Defendants.

Case No. 2:18-cv-00360-MCE-EFB

Assigned to
Hon. Morrison C. England, Jr.

Courtroom: Courtroom 7, 14th floor

**STIPULATION AND APPLICATION FOR
EXTENSION OF TIME RE FILING
PLAINTIFF'S SECOND AMENDED
COMPLAINT AND SETTING A
BRIEFING SCHEDULE ON ANY
MOTION TO DISMISS IN RESPONSE**

Complaint Filed: February 15, 2018
Trial Date: TBD

1 Plaintiff SHAWN ALGER, AS AN INDIVIDUAL AND ON BEHALF OF ALL OTHERS
2 SIMILARLY SITUATED (“Plaintiff”) and Defendant FCA US LLC, formerly known as
3 CHRYSLER GROUP, LLC (“Defendant”) (collectively the “Parties”), by and through their
4 attorneys of record in this case, hereby stipulate and request that the Court approve the filing of a
5 Second Amended Complaint (“SAC”), and a briefing schedule for Defendant’s Motion to Dismiss
6 the SAC, if any.

7 This stipulation and application for extension of time is based on the following facts:

8 WHEREAS, Plaintiff filed this action on or about February 15, 2018;

9 WHEREAS, Plaintiff filed a First Amended Complaint (“FAC”) in this action on or about
10 February 16, 2018;

11 WHEREAS, pursuant to Local Rule 144(a), the Parties stipulated to a twenty-eight (28) day
12 extension of Defendant’s time to respond to the FAC up to and including April 10, 2018;

13 WHEREAS, the Parties met and conferred on April 5, 2018 and April 6, 2018 regarding
14 Plaintiff’s CLRA claims contained in the FAC;

15 WHEREAS, the Parties agree that, subject to Court approval, there is good cause and
16 efficiencies may be achieved for the parties and the Court by filing a SAC that addresses issues
17 raised as part of the parties’ meet and confer efforts. The parties also stipulate, agree and request
18 the following deadline for answering the SAC in the event Defendant does not to file a Motion to
19 Dismiss Plaintiff’s SAC or, in the alternative, a briefing schedule in the event Defendant files a
20 Motion to Dismiss Plaintiff’s SAC.

21 **NOW, THEREFORE**, the Parties stipulate as follows:

- 22 1. Plaintiff shall file its SAC no later than April 23, 2018.
- 23 2. Defendant shall file its Answer or Motion to Dismiss in response to Plaintiff’s SAC
24 no later than May 14, 2018.
- 25 3. If Defendant files a Motion to Dismiss Plaintiff’s SAC, Plaintiff’s Opposition shall
26 be filed no later than June 4, 2018.
- 27 4. Any Reply in support of Defendant’s Motion to Dismiss Plaintiff’s SAC shall be
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filed no later than June 18, 2018.

5. The hearing date for any Motion to Dismiss Plaintiff's SAC filed by the Defendant will be set for June 25, 2018.

Dated: April 9, 2018

DYKEMA GOSSETT LLP
James P. Feeney
Dommond E. Lonnie
Abirami Gnanadesigan

By: /s/ Dommond E. Lonnie

James P. Feeney
Dommond E. Lonnie
Abirami Gnanadesigan
Attorneys for Defendant
FCA US LLC f/k/a CHRYSLER GROUP

Dated: April 9, 2018

KERSHAW, COOK & TALLEY PC
William A. Kershaw
Stuart C. Talley
Ian J. Barlow

By: /s/ Ian J. Barlow

(As authorized on April 9, 2018)
William A. Kershaw
Stuart C. Talley
Ian J. Barlow
Attorneys for PLAINTIFF AND THE
PUTATIVE CLASS

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ORDER

The Court, having considered the Stipulation and Application for Extension of Time submitted herewith, and good cause appearing, hereby enters the following order:

1. Plaintiff shall file its SAC no later than April 23, 2018.
2. Defendant shall file its Answer or Motion to Dismiss in response to Plaintiff's SAC no later than May 14, 2018.
3. If Defendant files a Motion to Dismiss Plaintiff's SAC, Plaintiff's Opposition shall be filed no later than June 4, 2018.
4. Any Reply in support of Defendant's Motion to Dismiss Plaintiff's SAC shall be filed no later than June 18, 2018.
5. The hearing date for any Motion to Dismiss Plaintiff's SAC filed by the Defendant will be set for June 25, 2018.

IT IS SO ORDERED.

Dated: April 10, 2018


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE