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21 RICHARD A. WEINSTEIN on behalf
 22 of all others similarly situated

23 Plaintiff,

24 v.

25 SATURN CORPORATION, EAST
 26 BAY AUTO GROUP, INC., dba
 27 SATURN OF OAKLAND and DOES
 28 1 – 100, inclusive,

29 Defendants.

Case No. C 07 0348 MMC

**STIPULATION AND
 [PROPOSED] ORDER
 VACATING REMAND OF EAST
 BAY AUTO GROUP**

1 WHEREAS after the Court's ruling granting Saturn's Motion to Dismiss
2 Plaintiff's Third Amended Complaint, the Court remanded the remainder of the
3 action as against East Bay Auto Group, Inc. ("East Bay") to Alameda County
4 Superior Court.

5 WHEREAS in light of the Ninth Circuit's ruling reversing, in part, the
6 Court's ruling on Saturn's Motion to Dismiss, the parties are in agreement that East
7 Bay should remain a party to this action;

8 WHEREAS at the Case Management Conference held on February 27, 2009,
9 the Court agreed to retake jurisdiction of plaintiff's claims against East Bay by way
10 of stipulation of the parties to vacate the remand order;

11 IT IS HEREBY STIPULATED by and between all parties, upon the Court's
12 signature of this document, that the portions of the Court's Order dated August 23,
13 2007, and Judgment dated August 28, 2007 remanding plaintiff's claims against
14 East Bay are hereby vacated.

15 DATED: March 6, 2009

BEHRAM V. PAREKH
KIRTLAND & PACKARD LLP

17 By /s/
18 Behram V. Parekh
Attorneys for Plaintiff
19 Richard A. Weinstein

20 DATED: March 6, 2009

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22 By /s/
23 Gregory R. Oxford
Attorneys for Defendant
Saturn Corporation

24 DATED: March 6, 2009

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26 By /s/
27 Walter J. R. Traver
Attorneys for Defendant
28 East Bay Auto Group

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I hereby attest that concurrence in the filing of the document has been obtained from each of the other signatories indicated by a "conformed" signature (/S/) within this efiled document.

DATED: March 6, 2009 /s/
Behram V. Parekh

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 9, 2009 *Mafine M. Cheney*
UNITED STATES DISTRICT JUDGE