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12 **Attorneys For Defendant**
 13 **AMERICAN HONDA MOTOR CO.**

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 LISA S. PRATI, on behalf of himself and all)
 others similarly situated,)
 18)
 Plaintiffs,)
 19)
 v.)
 20)
 AMERICAN HONDA MOTOR CO., INC.,)
 21)
 Defendant.)
 22)
 23 _____)

Case No. 09-CV-00444 TEH
 Assigned to: Hon. Thelton E. Henderson
STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE

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1 **STIPULATION**

2 WHEREAS, this action is one of two pending suits involving air conditioner condenser units
3 of vehicles distributed by Defendant American Honda Motor Co., Inc. (“Defendant” or “Honda”).

4 WHEREAS, on September 26, 2008, the first suit was filed against Honda, which suit
5 remains pending as *Alin v. American Honda Motor Co., Inc.*, No. 2:08-cv-4825 (“*Alin*”) in the
6 United States District Court for the District of New Jersey.

7 WHEREAS, on January 30, 2009, plaintiff Lisa S. Prati (“Plaintiff” or “Prati”) filed this suit
8 against Honda.

9 WHEREAS, on April 9, 2009, Honda filed a Motion To Stay Or Transfer Proceedings (the
10 “Motion”), requesting that the Court stay this proceeding pending class certification proceedings in
11 *Alin*, or, in the alternative, transfer this proceeding to the United States District Court for the District
12 of New Jersey for consolidated proceedings with *Alin*.

13 WHEREAS, on April 27, 2009, Plaintiff filed her first amended complaint.

14 WHEREAS, on May 15, 2009, Plaintiff filed her opposition to the Motion.

15 WHEREAS, Honda has filed a motion to dismiss in *Alin*, which is now fully-briefed.

16 WHEREAS, on June 2, 2009, Plaintiff and Honda (the “Parties”) filed a stipulation
17 requesting that this matter be stayed pending resolution of the motion to dismiss in *Alin*.

18 WHEREAS, on June 3, 2009, the Court entered an order which stayed the matter pending
19 resolution of the motion to dismiss in *Alin* (the “Order”).

20 WHEREAS, the Order set a Case Management Conference for September 21, 2009 but also
21 stated that “Upon good cause being shown, the parties may stipulate to change this date forward or
22 back.”

23 WHEREAS, the motion to dismiss remains pending in *Alin*.

24 WHEREAS, the Parties stipulate that the pendency of the motion to dismiss in *Alin*
25 constitutes good cause, they further stipulate that the Case Management Conference should be
26 continued until November 23, 2009 or another date convenient to the Court.

27 WHEREAS, the Parties further stipulate that the deadline to file the Joint Case Management
28 Statement shall be stricken.

1 WHEREAS, the Parties further stipulate that, upon good cause being shown, they may
2 stipulate to change the November 23, 2009 date forward or back.

3 WHEREAS, the Parties further stipulate that they each reserve their respective rights to
4 request or oppose transfer of the action to the United States District Court for the District of New
5 Jersey for consolidated proceedings with *Alin*.

6 THEREFORE, IT IS STIPULATED AND AGREED by the Parties, through their respective
7 counsel of record, as follows:

8 1. The pendency of the motion to dismiss in *Alin* constitutes good cause for continuing
9 the Case Management Conference set for September 21, 2009.

10 2. The Case Management Conference set for September 21, 2009 shall be continued
11 until November 23, 2009.

12 3. The deadline to file the Joint Case Management Statement shall be stricken.

13 4. Upon good cause being shown, the Parties may stipulate to change the November 23,
14 2009 date forward or back.

15 5. The Parties each reserve their respective rights to request or oppose transfer of the
16 action to the United States District Court for the District of New Jersey for consolidated proceedings
17 with *Alin*.

18 IT IS SO STIPULATED.

19 Dated: September 11, 2009

SIDLEY AUSTIN LLP

20
21 By: /s/ Sara B. Brody

22 Attorneys for Defendant
23 American Honda Motor Co., Inc.

24 Dated: September 11, 2009

25 GOODIN, MACBRIDE, SQUERI, DAY &
LAMPREY, LLP

26 By: /s/ Wayne T. Lamprey

27 Attorneys For Plaintiff Lisa S. Prati

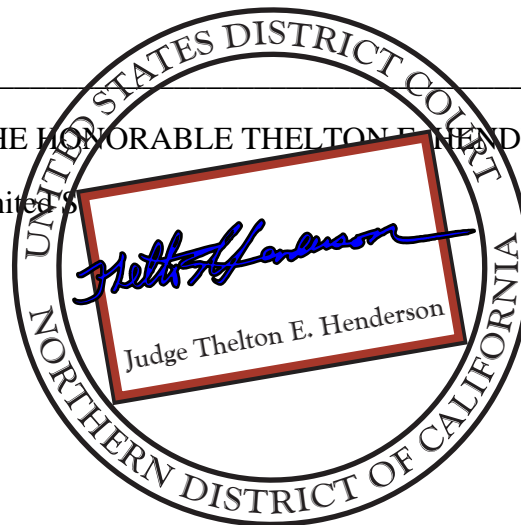
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PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 09/11/09 _____

THE HONORABLE THELTON E. HENDERSON
United States



CHI 4872241v.1