Prati v. Americar	Honda Motor Company, Inc.		Doc. 59
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Sara B. Brody (SBN 130222) sbrody@sidley.com Ryan M. Sandrock (SBN 251781) rsandrock@sidley.com SIDLEY AUSTIN LLP 555 California Street San Francisco, California 94104 Tel.: (415) 772-1200 Fax: (415) 772-7400 David B. Johnson (pro hac vice) djohnson@sidley.com Michael C. Andolina (pro hac vice) mandolina@sidley.com Andrianna D. Kastanek (pro hac vice) akastanek@sidley.com SIDLEY AUSTIN LLP One South Dearborn Street Chicago, Illinois 60603 Tel.: (312) 853-7000 Fax: (312) 853-7036 Attorneys For Defendant AMERICAN HONDA MOTOR CO. UNITED STATE NORTHERN DIST	S DISTRICT COURT RICT OF CALIFORNIA CISCO DIVISION Case No. 09-CV-00444 TEH Assigned to: Hon. Thelton E. Hende STIPULATION AND [PROPOSE] FURTHER CONTINUING CASE MANAGEMENT CONFERENCE MANAGEMENT CONFERENCE MOREON COURT	erson ED] ORDER
	Defendant.) _)	
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	STIPULATION AND [PROPOSED]	ORDER FURTHER CONTINUING CMC	
	Dockets.Justia.com		

STIPULATION

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

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

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

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

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

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

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

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

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

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

WHEREAS, on September 11, 2009, the Court entered an order continuing the Case Management Conference to November 23, 2009 and stating that "Upon good cause being shown, the parties may stipulate to change this date forward or back."

WHEREAS, on October 20, 2009, United States District Court for the District of New Jersey set oral argument on the motion to dismiss in *Alin* for December 18, 2009.

STIPULATION AND [PROPOSED] ORDER FURTHER CONTINUING CMC

American Honda Motor Co., Inc. GOODIN, MACBRIDE, SQUERI, DAY & LAMPREY, LLP Dated: November 9, 2009 By: /s/ Wayne T. Lamprey Attorneys For Plaintiff Lisa S. Prati [PROPOSED] ORDER PURSUANT TO STIPULATION, IT IS SO ORDERED. 11/10/09 DATED:_ ENDERSON NORABLE THELTON Judge Thelton E. Henderson

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