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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)	Case No. 09-CV-00444 TEH
others similarly situated,)	
)	Assigned to: Hon. Thelton E. Henderson
18 Plaintiffs,)	
)	STIPULATION AND PROPOSED ORDER
19 v.)	FURTHER CONTINUING CASE
)	MANAGEMENT CONFERENCE
20)	
21 AMERICAN HONDA MOTOR CO., INC.,)	
)	
22 Defendant.)	
)	

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

17 WHEREAS, as it had previously on June 3, 2009, September 11, 2009, November 10, 2009,
18 and February 17, 2010, on May 18, 2010, in light of the pending motion in *Alin* and at the request of
19 the parties, the Court entered an order continuing the Case Management Conference.

20 WHEREAS, the Court’s May 18, 2010 order continued the Case Management Conference
21 until August 23, 2010, and stated that “Upon good cause being shown, the parties may stipulate to
22 change the August 23, 2010 forward or back.”

23 WHEREAS, the United States District Court for the District of New Jersey has ruled on the
24 motion to dismiss in *Alin*.

25 WHEREAS, in an effort to resolve the *Alin* action, the parties participated in mediation
26 sessions on June 3, 2010 and July 28, 2010 with the Honorable Alfred M. Wolin in New Jersey.
27 Although the parties have not yet resolved the case, progress was made and the parties continue to
28 negotiate possible settlement terms.

1 WHEREAS, the Parties have also had several discussion regarding resolution of this case in
2 connection with a resolution of the *Alin* action.

3 WHEREAS, the Parties stipulate that the continuing settlement discussions in *Alin* and this
4 case constitutes good cause, they further stipulate that the Case Management Conference should be
5 continued until November 15, 2010 or another date convenient to the Court.

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

8 WHEREAS, the Parties further stipulate that, upon good cause being shown, they may
9 stipulate to change the November 15, 2010 date forward or back.

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

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

15 1. The continuing settlement negotiations between the Parties constitutes good cause for
16 continuing the Case Management Conference set for August 23, 2010.

17 2. The Case Management Conference set for August 23, 2010 shall be continued until
18 November 15, 2010.

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

20 4. Upon good cause being shown, the Parties may stipulate to change the November 15,
21 2010 date forward or back.

