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14 UNITED STATES DISTRICT COURT
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

17 CARIN and EDWARD MILLIGAN,)
 18 California residents, on behalf of themselves)
 19 and all others similarly situated,)
 20)
 21 Plaintiffs,)
 22)
 23 v.)
 24)
 25 TOYOTA MOTOR SALES, U.S.A., INC., a)
 26 California corporation and TOYOTA MOTOR)
 27 NORTH AMERICA, INC., a New York)
 28 corporation,)
 29)
 30 Defendants.)

Case No. C09-05418 RS
**STIPULATION AND ~~PROPOSED~~
 ORDER RESCHEDULING
 HEARING ON DEFENDANTS'
 MOTION TO DISMISS SECOND
 AMENDED COMPLAINT AND
 MODIFYING BRIEFING
 SCHEDULE**
CLASS ACTION

WHEREAS Plaintiffs filed a Second Amended Complaint on March 9, 2010;
 WHEREAS Defendant filed a Motion to Dismiss Second Amended Complaint on
 March 30, 2010 with a hearing date of May 6, 2010; and

1 WHEREAS the parties have scheduled a mediation before Hon. Edward Wallin (Ret) of
2 JAMS on June 9th, 2010 to explore the possibility of settling this matter and further agree that
3 rescheduling the hearing on Defendant's Motion to Dismiss forty-five days (45) from the
4 present scheduled date of June 10, 2010 to at or about July 22, 2010 will allow the parties to
5 engage in mediation, and fully focus their attention and efforts toward resolution of the pending
6 matter.

7
8 THEREFORE, the parties agree and stipulate as follows:

9 The briefing schedule and hearing date regarding Defendant's Motion to Dismiss
10 Plaintiff's Second Amended Complaint shall be modified as follows:

11	Deadline for Plaintiff's Response	July 6, 2010
12	Deadline for Defendant's Reply	July 13, 2010
13	Hearing	July 29, 2010

14 RESPECTFULLY SUBMITTED AND DATED this 7th day of May, 2010.

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12 Attorneys for Defendants

13 **ORDER**

14 Based on the foregoing stipulation of the parties and good cause appearing, therefore it
15 is SO ORDERED that the briefing schedule and hearing date regarding Defendant's Motion to
16 Dismiss Plaintiff's Second Amended Complaint be modified as follows:

17 Deadline for Plaintiff's Response	July 6, 2010
18 Deadline for Defendant's Reply	July 13, 2010
19 Hearing	July 29, 2010

20 Dated: May 7, 2010

21 
22 RICHARD SEEBORG
23 UNITED STATES DISTRICT JUDGE

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