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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 WILLIAM COOKSON, JUNE
 ANDRADE, SENITA PORCHER,
 13 NIYSHA EDWARD, DAVID BOTELLO,
 SANTOS RAY REHMKE and DAVID
 14 AXTON on behalf of themselves and all
 others similarly situated,

15 Plaintiffs,

16 vs.

17 NEW UNITED MOTOR
 18 MANUFACTURING, INC., TOYOTA
 MOTOR CORPORATION and
 19 TOYOTA MOTOR SALES, U.S.A.,
 INC.

20 Defendants.
 21

Case No. C10-02931 CRB

**STIPULATION AND ~~PROPOSED~~ ORDER
 TO STAY FRCP 26(F) CONFERENCE,
 INITIAL DISCLOSURES, AND
 DISCOVERY PLAN; AND CONTINUE
 MOTION TO DISMISS HEARING AND
 CASE MANAGEMENT CONFERENCE**

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16 TOYOTA MOTOR CORPORATION and
17 TOYOTA MOTOR SALES, U.S.A., INC.
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1 WHEREAS the parties have agreed to engage in an early mediation in this action and have
2 scheduled a private mediation session with the Honorable Edward A. Panelli (Ret.) for November 2,
3 2010;

4
5 WHEREAS the parties have agreed to engage in an informal exchange of information in advance
6 of the mediation;

7
8 WHEREAS the parties would like to focus their resources and efforts on the mediation and
9 related informal exchange of information, as well as the pending motions to dismiss the First Amended
10 Complaint in part under Federal Rule of Civil Procedure 12(b)(6) brought by defendant New United
11 Motor Manufacturing, Inc. ("NUMMI") and defendants Toyota Motor Corp. and Toyota Motor Sales,
12 U.S.A., Inc., respectively (collectively as "Motions to Dismiss");

13
14 WHEREAS the Motions to Dismiss are currently set for hearing on November 5, 2010;

15
16 WHEREAS plaintiffs have requested an additional week in which to prepare their opposition(s)
17 to the Motions to Dismiss, currently due October 15, 2010;

18
19 WHEREAS defendants are amenable to continuing the hearing on the Motions to Dismiss in
20 order to permit plaintiffs additional time for their opposition(s), but are not available for a later hearing
21 until December 3, 2010; and

22
23 WHEREAS the Initial Case Management Conference is currently set for October 15, 2010;

24
25 IT IS HEREBY STIPULATED, SUBJECT TO APPROVAL BY THE COURT, THAT:

26
27 1. The initial conference of the parties as required by Federal Rule of Civil Procedure 26(f)
28 and related deadlines, including the discovery plan described in Federal Rule of Civil Procedure

1 26(f)(3), initial disclosures described in Federal Rule of Civil Procedure 26(a)(1)(A), and joint case
2 management conference statement described in Civil Local Rule 16-9, shall be deferred until an
3 appropriate date after the mediation, to be determined jointly by the parties, with the Court's approval;
4

5 2. The hearing and remaining briefing schedule on the Motions to Dismiss shall be
6 modified as follows:

<u>Event</u>	<u>Current Due Date</u>	<u>Proposed Due Date</u>
7 Opposition	October 15, 2010	November 3, 2010
8 Reply	October 22, 2010	November 19, 2010
9 Hearing	November 5, 2010	December 3, 2010

10
11
12 3. The Initial Case Management Conference shall be continued to the date of the hearing
13 on the Motions to Dismiss, *i.e.*, December 3, 2010.

14
15 DATED: October 8, 2010

LAWSON LAW OFFICE
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20 BY: Claudia Center

CLAUDIA CENTER (PC)

Attorneys for Plaintiffs

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22 DATED: October 8, 2010

PAUL, HASTINGS, JANOFSKY & WALKER LLP

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24 BY: Katherine C. Huibonhoa / ysp

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Attorneys for Defendant

NEW UNITED MOTOR MANUFACTURING, INC.

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DATED: October 8, 2010

MORGAN, LEWIS & BOCKIUS LLP

BY: 

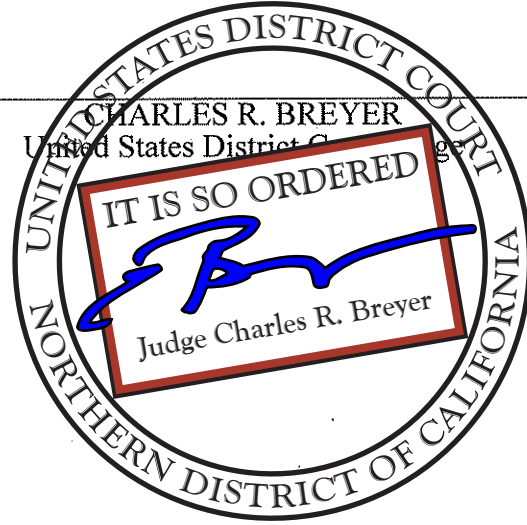
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TOYOTA MOTOR CORPORATION and TOYOTA
MOTOR SALES, U.S.A., INC.

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 14, 2010

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