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15 **UNITED STATES DISTRICT COURT**
16
17 **NORTHERN DISTRICT OF CALIFORNIA**

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

21 Plaintiffs,

22 v.

23 NEW UNITED MOTOR MANUFACTURING,
24 INC., TOYOTA MOTOR CORPORATION, and
25 TOYOTA MOTOR SALES, U.S.A., INC.

26 Defendants.
27

) **CLASS ACTION**

) 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**

) [Hon. Charles R. Breyer]

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19 Attorneys for Defendants
20 TOYOTA MOTOR CORPORATION and
TOYOTA MOTOR SALES, U.S.A., INC.

1 WHEREAS the parties attended a private mediation session with Justice Panelli on
2 November 2, 2010 and continued in settlement discussions thereafter with Justice Panelli.

3 WHEREAS the parties have agreed to the mediator's proposed settlement and would like to
4 focus their resources and efforts on the finalizing the settlement agreement;

5 WHEREAS the Motions to Dismiss and the Case Management Conference are currently set
6 for hearing on January 21, 2011;

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

8 1. The initial conference of the parties as required by Federal Rule of Civil Procedure
9 26(f) and related deadlines, including the discovery plan described in Federal Rule of Civil
10 Procedure 26(f)(3), initial disclosures described in Federal Rule of Civil Procedure 26(a)(1)(A), and
11 joint case management conference statement described in Civil Local Rule 16-9, shall be deferred
12 until an appropriate date following the settlement process, to be determined jointly by the parties,
13 with the Court's approval;

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

Event	Current Due Date	Proposed Due Date
Opposition	December 23, 2010	February 7, 2011
Reply	January 7, 20 10 11	February 21, 2011
Hearing	January 21, 2011	March 4, 2011

20
21 3. The Initial Case Management Conference shall be continued to the date of the hearing
22 on the Motions to Dismiss, i.e., March 21, 2011.

23 4

1 DATED: December 20, 2010


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BY: 
ANTONIO M. LAWSON
Attorneys for Plaintiffs


DATED: December 20, 2010

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DATED: December 20, 2010

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ORDER

Pursuant to stipulation, it is so ordered.

Dated: December 21, 2010.

Charles R. Breyer, District C

