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

17
 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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)
)

28 STIPULATION AND [PROPOSED] ORDER
 Case No. C10-02931 CRB

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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 have made
4 significant progress towards resolution of the dispute with only a few minor issues remaining;

5 WHEREAS the parties believe they will have a final settlement within 1-2 days;

6 WHEREAS the Motions to Dismiss and the Case Management Conference are currently set
7 for hearing on March 4, 2011;

8 WHEREAS plaintiffs' oppositions to defendants' motions to dismiss are due February 7,
9 2011;

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

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

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

19 Event	Current Due Date	Proposed Due Date
20 Opposition	February 7, 2011	February 21, 2011
21 Reply	February 21, 2011	March 7, 2011
22 Hearing	March 4, 2011	March 18, 2011

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24 3. The Initial Case Management Conference shall be continued to the date of the hearing
25 on the Motions to Dismiss, i.e., March 18, 2011.
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DATED: February 7, 2011

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THE IMPACT FUND
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BY: /s/Antonio Lawson
ANTONIO M. LAWSON
Attorneys for Plaintiffs

DATED: February 7, 2011

PAUL, HASTINGS, JANOFSKY & WALKER LLP

BY: 
KATHERINE C. HUIBONHOA
Attorneys for Defendant
NEW UNITED MOTOR
MANUFACTURING, INC.

DATED: February 7, 2011

MORGAN, LEWIS & BOCKIUS LLP

BY: _____
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Attorneys for Defendants
TOYOTA MOTOR CORPORATION and
TOYOTA MOTOR SALES, U.S.A., INC.

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DATED: February 7, 2011.

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BY: /s/Antonio Lawson
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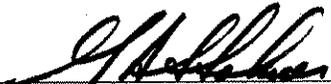
DATED: February 7, 2011

PAUL, HASTINGS, JANOFSKY & WALKER LLP

BY: _____
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Attorneys for Defendant
NEW UNITED MOTOR
MANUFACTURING, INC.

DATED: February 7, 2011

MORGAN, LEWIS & BOCKIUS LLP

BY: 
~~L. JULIUS M. TURMAN~~
~~Attorneys for Defendants~~
GEORGE STORNER
TOYOTA MOTOR CORPORATION and
TOYOTA MOTOR SALES, U.S.A., INC.

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ORDER

Pursuant to stipulation, it is so ordered.

Dated: February 9, 2011

Charles R. Breyer, District Court

