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7 Attorneys for Defendant
 TOYOTA MOTOR SALES, U.S.A.,
 8 INC.

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 MUI HO, SHELDA ANGLIN, and TED)
 12 FLORY, individually, and on behalf of)
 13 other members of the general public)
 similarly situated,)

14 Plaintiffs,

15 v.

16 TOYOTA MOTOR CORPORATION,)
 17 and TOYOTA MOTOR SALES,)
 U.S.A., INC.,)

18 Defendants.

Case No.: C 12-02672 SC

Assigned to Hon. Samuel Conti

**STIPULATION TO EXTEND
 TIME TO RESPOND TO FIRST
 AMENDED CLASS ACTION
 COMPLAINT; FOR ORDER
 SETTING BRIEFING
 SCHEDULE; AND CONTINUING
 CASE MANAGEMENT
 CONFERENCE DATE AND
 RELATED DATES**

Complaint filed: May 24, 2012

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1 This stipulation is entered into by Toyota Motor Corporation (“TMC”) and
2 Toyota Motor Sales, U.S.A., Inc. (“TMS”) (collectively, “Toyota”), and Plaintiffs
3 Mui Ho, Shelda Anglin, and Ted Flory (collectively, “Plaintiffs”) (collectively, the
4 “Parties”), by and through their respective counsel, with reference to the following
5 facts and recitals:

6 WHEREAS, on August 15, 2012, Plaintiffs filed a First Amended Class
7 Action Complaint (the “FAC”), which, for the first time, named TMC as an
8 additional defendant in this action;

9 WHEREAS, pursuant to the Court’s Order dated July 30, 2012, the deadline
10 for TMS to respond to the FAC is September 14, 2012 [Docket #20];

11 WHEREAS, as of the date of this Stipulation, TMC has not been served with
12 the Summons and FAC in this action;

13 WHEREAS, the Parties agree that their preference is to have TMS and TMC
14 jointly file any response to the FAC;

15 WHEREAS, the case management conference in this action is currently
16 scheduled for December 7, 2012 at 10:00 a.m.; and

17 WHEREAS, no trial date has been set.

18 **NOW, THEREFORE:**

19 1. It is stipulated that TMC will be deemed to be served as of the date this
20 Stipulation is filed with the Court. Notwithstanding the date on which service on
21 TMC is deemed to have been effected, TMC shall file a response to Plaintiffs’ FAC
22 pursuant to paragraph 2 below.

23 2. The Parties hereby stipulate and agree, subject to Court approval, that
24 TMC and TMS shall have until October 12, 2012 to file a response to Plaintiffs’
25 FAC. To the extent TMC and TMS’ response is a motion, the Parties agree to the
26 following briefing schedule, pursuant to the Commentary to Local Rule 7-2, which
27 states that “[f]or complex motions, parties are encouraged to stipulate to or seek a
28 Court order establishing a longer notice period with correspondingly longer periods

1 for response or reply”:

2	Deadline for Defendants to file motion:	Oct. 12, 2012
3	Deadline for Plaintiffs to file opposition:	Nov. 12, 2012
4	Deadline for Defendants to file reply:	Dec. 7, 2012
5	Hearing date on motion:	The earlier of Dec. 21, 2012 or
6		the Court’s next available
7		hearing date at the time the
8		hearing date is reserved by
9		Defendants

10 3. The Parties stipulate and agree, subject to Court approval, to the
11 following deadlines related to the Case Management Conference:

12	Deadline to hold Rule 26(f) conference:	Jan. 7, 2013
13	Deadline to file ADR Certification:	Jan. 7, 2013
14	Deadline to file ADR Stipulation or Request	
15	for ADR Telephone Conference:	Jan. 7, 2013
16	Deadline to file Joint Rule 26(f) Report / CMC Statement:	Jan. 28, 2013
17	Deadline to serve Initial Disclosures:	Jan. 28, 2013
18	Case Management Conference:	Feb. 8, 2013 or at a later
19		date convenient for the
20		Court

21 4. In exchange for TMC’s agreement to forego the formalities of the
22 Hague Service Convention otherwise required for service on TMC, Plaintiffs and
23 TMC agree to the following: (i) TMC will have a total of 90 days to respond to all
24 written discovery requests; (ii) any TMC corporate representative deposition noticed
25 under Fed. R. Civ. P. 30(b)(6) will be done on at least 90 days notice; and (iii) at
26 Defendants’ election, any depositions of a corporate representative noticed
27 under Fed. R. Civ. P. 30(b)(6) shall be conducted at a law office selected by
28 Defendants in the Los Angeles area.

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DATED: September 10, 2012

LOEB & LOEB LLP

LAW OFFICES OF MARK YABLONOVICH

By /s/ Darlene M. Cho
Darlene M. Cho
Attorneys for Defendants

By /s/ Neda Roshanian (with counsel's
permission)
Neda Roshanian
Attorneys for Plaintiffs

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16 TOYOTA MOTOR CORPORATION,)
17 and TOYOTA MOTOR SALES,)
U.S.A., INC.,)

18 Defendants.

Case No.: C 12-02672 SC

Assigned to Hon. Samuel Conti

**[PROPOSED] ORDER
EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
FIRST AMENDED CLASS
ACTION COMPLAINT;
SETTING BRIEFING
SCHEDULE; AND CONTINUING
CASE MANAGEMENT
CONFERENCE DATE AND
RELATED DATES**

Complaint filed: May 24, 2012

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1 **ORDER**

2 Having read the Parties’ Stipulation To Extend Time To Respond To First
3 Amended Class Action Complaint; For Order Setting Briefing Schedule; and
4 Continuing Case Management Conference Date and Related Dates (the
5 “Stipulation”), and good cause appearing therefore,

6 IT IS HEREBY ORDERED that:

7 1. The deadlines and dates in the Court’s Order dated July 30, 2012
8 [Docket #20] related to the motion to dismiss and case management conference,
9 including the hearing date reserved on November 16, 2012 and the case
10 management conference scheduled for December 7, 2012, are hereby vacated;

11 2. Toyota Motor Corporation (“TMC”) is deemed to be served as of the
12 date of the filing of the Stipulation with the Court. Notwithstanding the date on
13 which service on TMC is deemed to have been effected, TMC shall file a response
14 to the FAC pursuant to paragraph 3 below.

15 3. Toyota Motor Sales, U.S.A., Inc. (“TMS”) and TMC shall have until
16 October 12, 2012 to respond to Plaintiffs’ FAC. To the extent TMC and TMS’
17 response is a motion, the Parties shall file their respective briefs according to the
18 following schedule:

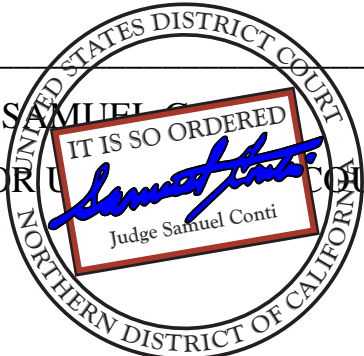
- | | | |
|----|---|--|
| 19 | Deadline for Defendants to file motion: | Oct. 12, 2012 |
| 20 | Deadline for Plaintiffs to file opposition: | Nov. 12, 2012 |
| 21 | Deadline for Defendants to file reply: | Dec. 7, 2012 |
| 22 | Hearing date on motion: | The earlier of Dec. 21, 2012 or |
| 23 | | the Court’s next available |
| 24 | | hearing date at the time the |
| 25 | | hearing date is reserved by |
| 26 | | Defendants |

1 4. The following schedule related to the Case Management Conference
2 shall apply:

3 Deadline to hold Rule 26(f) conference: Jan. 7, 2013
4 Deadline to file ADR Certification: Jan. 7, 2013
5 Deadline to file ADR Stipulation or Request
6 for ADR Telephone Conference: Jan. 7, 2013
7 Deadline to file Joint Rule 26(f) Report /
8 CMC Statement: Jan. 28, 2013
9 Deadline to serve Initial Disclosures:
10 Case Management Conference: Feb. 8, 2013 ~~or at a later~~
11 ~~date convenient for the~~
12 Court

13 5. Consistent with the Parties' Stipulation regarding discovery on TMC,
14 the Court orders that: (i) TMC will have a total of 90 days to respond to all written
15 discovery requests; (ii) any TMC corporate representative deposition noticed under
16 Fed. R. Civ. P. 30(b)(6) will be done on at least 90 days notice; and (iii) at
17 Defendants' election, any depositions of a corporate representative noticed under
18 Fed. R. Civ. P. 30(b)(6) shall be conducted at a law office selected by Defendants in
19 the Los Angeles area.

20 DATED: 9/10/12

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22 HON. SAMUEL G. CONTI
23 SENIOR U.S. DISTRICT COURT JUDGE
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