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10 *Counsel for Plaintiffs*

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 13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

17 MAJEED SEIFI AND TRACEY DEAKIN, On
 Behalf of Themselves And All Others Similarly
 18 Situated,

19 Plaintiff,

20 v.

21 MERCEDES-BENZ USA, LLC,

22 Defendant.

CASE NO. 3:12-cv-5493-TEH

**STIPULATION AND [~~PROPOSED~~]
 ORDER GRANTING STIPULATION TO
 RESCHEDULE AND CONSOLIDATE
 HEARING DATES**

Judge: Hon. Thelton E. Henderson

Location: Courtroom 12, 19th Floor

1 WHEREAS, on November 24, 2014, Plaintiffs Majeed Seifi and Tracey Deakin
2 (collectively “Plaintiffs”) filed a Motion for Partial Summary Judgment As to Liability Or, In the
3 Alternative, Summary Adjudication, and that motion was noticed for a hearing on January 12,
4 2015, and subsequently rescheduled to March 2, 2015 [Dkt. No. 135];

5 WHEREAS, on December 17, 2014, the Court entered an Order to Show Cause that
6 required counsel for Defendant Mercedes-Benz USA, LLC (“MBUSA”) to appear on January 12,
7 2015, which hearing date was subsequently rescheduled to March 2, 2015 [Dkt. No. 135];

8 WHEREAS, on December 17, 2014, the Court calendared a Further Case Management
9 Conference in this action for February 9, 2015, which it subsequently rescheduled to April 13,
10 2015 [Dkt. No. 135];

11 WHEREAS, on September 3, 2014, the Court entered an Order directing that the parties
12 attend a private mediation session no later than 90 days from the date of that Order [Dkt. No. 87];

13 WHEREAS, as set forth in the accompanying Declaration of Roy A. Katriel, on November
14 25, 2014, the parties, through their counsel, attended a mediation session at JAMS San Francisco
15 that was presided over by the Honorable Magistrate Judge (Ret.) Edward Infante;

16 WHEREAS, the mediation session did not result in a settlement of the action;

17 WHEREAS, the mediator encouraged the parties’ respective counsel to continue working
18 with him, and the parties believe that it would conserve resources and enhance judicial efficiency
19 to devote their attention to these efforts in the immediate future instead of preparing for and
20 attending adversarial hearings;¹

21 It is, therefore, agreed to and Stipulated that, subject to Court approval:

- 22 1. The hearing on Plaintiffs’ Motion for Partial Summary Judgment As to Liability Or, In
23 the Alternative, Summary Adjudication, is hereby continued until and to March 23,
24 2015, at 10:00 a.m.
- 25 2. The hearing on the Court’s Order to Show Cause why Defendant’s counsel should not
26 be subject to monetary sanctions is ~~hereby continued to March 23, 2015, at 10:00 a.m.~~
vacated.

27 ¹ Given the circumstances that prompt this request, counsel for both parties contacted Chambers and were advised by
28 the Civil Docketing Clerk that it was appropriate to proceed by means of a filed Stipulation as opposed to a Motion to
Change Time that would be governed by Civil L.R. 6-3.

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Dated: February 24, 2015

/s/ Roy A. Katriel
Counsel for Plaintiffs Majeed Seifi and Tracey Deakin


Dated: February 20, 2015

/s/ Chad A. Stegeman
Counsel for Defendant Mercedes-Benz USA, LLC

Filer's Attestation: The filer of this document attests that the concurrence of the signatories thereunto has been obtained.

IT IS SO ORDERED.

Dated: 02/24, 2015


Hon. Thelton E. Henderson
United States District Judge