

1 Troy M. Yoshino, No. 197850
 Matthew J. Kemner, No. 188126
 2 Chad A. Stegeman, No. 225745
CARROLL, BURDICK & McDONOUGH LLP
 3 44 Montgomery Street, Suite 400
 San Francisco, CA 94104
 4 Telephone: 415.989.5900
 Facsimile: 415.989.0932
 5 Email: tyoshino@cbmlaw.com
 mkemner@cbmlaw.com
 6 cstegeman@cbmlaw.com

7 Attorneys for Defendant
 MERCEDES-BENZ USA, LLC

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 MAJEED SEIFI AND TRACEY
 12 DEAKIN, On Behalf Of Themselves
 And All Others Similarly Situated

13 Plaintiffs,

14 v.

15 MERCEDES-BENZ USA, LLC,

16 Defendant.

No. 12-CV-05493 (TEH)

**STIPULATED REQUEST TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 DECLARATION OF CHAD A. STEGEMAN IN
 SUPPORT THEREOF; [~~PROPOSED~~] ORDER**

[N.D. CAL. L.R. 6-2]

17
18
19
20
21
22
23
24
25
26
27
28

1 By and through their respective counsel of record, Plaintiffs Majeed Seifi and
2 Tracey Deakin, as individuals and on behalf of all others similarly situated, and Defendant
3 Mercedes-Benz USA, LLC (“MBUSA”) stipulate and agree as follows:

4 **STIPULATED REQUEST FOR ORDER CHANGING TIME PURSUANT TO L.R. 6-2**

5 1. On July 7, 2014, a clerk’s notice reset the July 7, 2014 case management
6 conference to July 28, 2014. Dkt. 83.

7 2. Due to scheduling conflicts of counsel with the July 28 hearing date as set forth
8 in the accompanying Declaration of Chad A. Stegeman, on July 8, 2014, after consultation
9 with counsel for plaintiffs, counsel for MBUSA contacted the Court to request availability
10 for a reset hearing a week later, August 4, 2014. The Court clerk indicated the August 4
11 date was not available, but that August 11 was available.

12 3. An August 11, 2014 case management conference poses no conflict for the
13 parties.

14 6. Pursuant to prior stipulations between the parties, this Court has modified
15 dates pursuant to the stipulation of the parties on four prior occasions. *See* Dkt. 8; Dkt.
16 17; Dkt. 44; Dkt. 53. This Court also modified the briefing and hearing schedule on
17 MBUSA’s Motion to Dismiss by its own order (*see* Dkt. 15; Dkt. 28, Dkt. 35-36) and
18 reset the July 7, 2014 cases management conference. Dkt. 83.

19 7. Pursuant to N.D. Cal. Local R. 6-2, the parties seek approval of this stipulated
20 request for an order changing time, as the agreement set forth herein affects a date fixed
21 by Court order.

22 8. As there are no other scheduled matters in this case, the requested time
23 modification would have no effect on the schedule for the case.

24 Accordingly, the parties agree and stipulate that the case management conference
25 currently set for Monday, July 28, 2014, should be continued to August 11, 2014, at 1:30
26 p.m.

27 **IT IS SO STIPULATED.**

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: July 9, 2014

Respectfully submitted,

CARROLL, BURDICK & McDONOUGH LLP

By _____ /s/
CHAD A. STEGEMAN
Attorneys for Defendant
Mercedes-Benz USA, LLC

Dated: July 9, 2014

THE KATRIEL LAW FIRM, PLLC

By _____ /s/
ROY A. KATRIEL
Attorneys for Plaintiffs
Majeed Seifi and Tracey Deakin

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**DECLARATION OF CHAD A. STEGEMAN IN SUPPORT OF
STIPULATED REQUEST FOR ORDER CHANGING TIME**

I, Chad A. Stegeman, declare and state as follows:

1. I am an attorney duly licensed to practice before this Court, and am associated with Carroll, Burdick & McDonough LLP, counsel for Defendant MBUSA in the above-entitled action. The matters referred to in this Declaration are based upon my best personal knowledge and belief, and if called and sworn as a witness, I could and would competently testify as to each of them.

2. On July 7, 2014, a clerk’s notice reset the July 7, 2014 case management conference to July 28, 2014. Dkt. 83.

3. Both Troy Yoshino and Chad Stegeman, Counsel for MBUSA, will be traveling out of state for hearings in other matters on July 28, 2014.

4. Due to the scheduling conflict, on July 8, 2014, after consultation with counsel for plaintiffs, counsel for MBUSA contacted Courtroom Deputy Tana Ingle to ascertain the Court’s near term availability for a reset case management conference. Ms. Ingle indicated the Court was not available on August 4, 2014, but was available on August 11, 2014.

3. An August 11, 2014, date for the case management conference poses no conflict for the parties.

6. Pursuant to prior stipulations between the parties, this Court has modified dates pursuant to the stipulation of the parties on four prior occasions. *See* Dkt. 8; Dkt. 17; Dkt. 44; Dkt. 53. This Court has also modified the briefing and hearing schedule on MBUSA’s Motion to Dismiss by its own order. *See* Dkt. 15; Dkt. 28, Dkt. 35-36.

7. Accordingly, as set forth in the accompanying stipulated request, the parties respectfully request that the case management conference set for July 28, 2014, be continued to August 11, 2014, at 1:30 p.m.

8. As there are no other scheduled matters in this case, the requested time modification would have no effect on the schedule for the case.

1 9. I attest that concurrence in the filing of the document has been obtained from
2 Plaintiffs' counsel, Roy Katriel, which shall serve in lieu of their signatures on the
3 document.

4 I declare under penalty of perjury under the laws of the United States that the
5 foregoing is true and correct.

6 Executed this 9th day of July 2014, at San Francisco, California.

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/

CHAD A. STEGEMAN

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

For good cause shown, the Court hereby enters the Stipulation set forth above as the Order of the Court. The schedule in this case is hereby modified as follows:

a. The case management conference currently set for Monday, July 28, 2014, shall be continued to August 11, 2014, at 1:30 p.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 07/09, 2014

By: _____

