

1 RANDALL W. EDWARDS (S.B. #179053)
redwards@omm.com
2 O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Floor
3 San Francisco, CA 94111-3823
Telephone: (415) 984-8700
4 Facsimile: (415) 984-8701

5 BRIAN C. ANDERSON (S.B. #126539)
banderson@omm.com
6 SCOTT M. HAMMACK (*pro hac vice*)
shammack@omm.com
7 DAVID R. DOREY (S.B. #286843)
ddorey@omm.com
8 O'MELVENY & MYERS LLP
1625 Eye Street, NW
9 Washington, D.C. 20006-4001
Telephone: (202) 383-5300
10 Facsimile: (202) 383-5414

11 Attorneys for Defendant
FORD MOTOR COMPANY

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

16 In re:
17 MYFORD TOUCH CONSUMER
LITIGATION

Case No. 3:13-CV-3072-EMC

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~
ORDER TO EXTEND PAGE LIMIT FOR
DEFENDANT FORD'S MEMORANDUM
OF POINTS AND AUTHORITIES IN
SUPPORT OF ITS OPPOSITION TO
PLAINTIFFS' MOTION FOR CLASS
CERTIFICATION**

[N.D. CAL. L.R. 7-11]

Hearing Date: May 26, 2016
Time: 1:30 PM
Judge: Hon. Edward M. Chen
Courtroom: 5

25
26
27
28
STIP. TO EXTEND PAGE LIMIT FOR
FORD'S OPP. TO CLASS CERT.
NO. 13-CV-3072-EMC

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

STIPULATION EXTENDING PAGE LIMIT FOR BRIEF
IN SUPPORT OF OPPOSITION TO CLASS CERTIFICATION

WHEREAS, the Third Amended Class Action Complaint filed in the above action includes 19 plaintiffs from 12 states, collectively stating 44 causes of action (Dkt. No. 183, October 13, 2015);

WHEREAS, the parties stipulated to allow Plaintiffs to file a 50-page Motion for Class Certification; in this stipulation, Ford anticipated that it would need an extension to the page limit but reserved its right to seek such an extension until it reviewed Plaintiffs' brief (Dkt. No. 190, January 21, 2016);

WHEREAS, Plaintiffs filed a 50-page Motion for Class Certification accompanied by four expert reports and a 66-page attorney declaration (Dkt. No. 196, January 28, 2016);

WHEREAS, Local Rule 7-3(a) provides that the brief or memorandum of points and authorities in opposition to a motion may not exceed 25 pages;

WHEREAS, Local Rule 7-11 provides that a party can move to "exceed otherwise applicable page limitations;"

WHEREAS, Local Rule 7-3 provides that "[a]ny evidentiary and procedural objections to the motion must be contained within the brief or memorandum;"

WHEREAS, Ford anticipates that it will raise evidentiary objections to certain of the expert reports Plaintiffs submitted with their Motion for Class Certification;

WHEREAS, Ford anticipates that it will need 75 pages to respond adequately to Plaintiffs' Motion for Class Certification, which raises complex legal and factual issues related to the numerous plaintiffs and causes of action in this case;

WHEREAS, Plaintiffs have agreed not to oppose Ford's motion seeking to extend the page limit for its Opposition up to 75 pages;

WHEREAS, execution of this stipulation is not a waiver of any claims or defenses Plaintiffs or Ford may otherwise have;

WHEREAS, for the reasons set forth above, other materials properly before the Court, and

1 the record in this case, the parties agree that there is good cause to grant this stipulated request to
2 extend the page limitation;

3 THEREFORE, IT IS HEREBY STIPULATED by Plaintiffs and Ford, through their
4 counsel of record, pursuant to Local Rule 7-11 and subject to the approval of the Court, that Ford
5 shall have leave to file a memorandum of points and authorities of no more than 75 pages in
6 support of its Opposition to Plaintiffs' Motion for Class Certification, to be filed on or before
7 March 15, 2016.

8 Dated: March 9, 2016

O'MELVENY & MYERS LLP

9
10 By: /s/ Randall W. Edwards
11 RANDALL W. EDWARDS

12 RANDALL W. EDWARDS (S.B. #179053)
13 redwards@omm.com
14 O'MELVENY & MYERS LLP
15 Two Embarcadero Center, 28th Floor
16 San Francisco, CA 94111-3823
17 Telephone: (415) 984-8700
18 Facsimile: (415) 984-8701

19 BRIAN C. ANDERSON (S.B. # 126539)
20 banderson@omm.com
21 SCOTT M. HAMMACK (*pro hac vice*)
22 shammack@omm.com
23 DAVID R. DOREY (S.B. #286843)
24 ddorey@omm.com
25 O'MELVENY & MYERS LLP
26 1625 Eye Street, NW
27 Washington, D.C. 20006-4001
28 Telephone: (202) 383-5300
Facsimile: (202) 383-5414

Attorneys for Defendant Ford Motor Company

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: March 9, 2016

BARON & BUDD, P.C.

By: /s/ Roland Tellis
ROLAND TELLIS

Roland Tellis (S.B. #186269)
Mark Pifko (S.B. #228412)
BARON & BUDD, P.C.
15910 Ventura Boulevard, Suite 1600
Encino, California 91436
Tel: (818) 839-2320
Fax: (818) 986-9698
rtellis@baronbudd.com
mpifko@baronbudd.com

Steve W. Berman (*pro hac vice*)
Catherine Y.N. Gannon (*pro hac vice*)
Craig R. Spiegel (S.B. #122000)
Tyler S. Weaver (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 8th Avenue, Suite 3300
Seattle, Washington 98101
Tel: (206) 623-7292
Fax: (206) 623-0594
steve@hbsslaw.com
craigs@hbsslaw.com
tyler@hbsslaw.com
catherineg@hbsslaw.com

Adam J. Levitt (*pro hac vice*)
GRANT & EISENHOFER P.A.
30 North LaSalle Street, Suite 1200
Chicago, Illinois 60602
Tel: (312) 214-0000
Fax: (312) 214-0001
alevitt@gelaw.com

Joseph G. Sauder (*pro hac vice*)
Matthew D. Schelkopf (*pro hac vice*)
CHIMICLES & TIKELLIS LLP
One Haverford Centre
361 West Lancaster Avenue
Haverford, Pennsylvania 19041
Tel: (610) 642-8500
Fax: (610) 649-3633
JGS@chimicles.com

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

Jeff D. Friedman (S.B. #173886)
Shana E. Scarlett (S.B. #217895)
HAGENS BERMAN SOBOL SHAPIRO LLP
715 Hearst Avenue, Suite 202
Berkeley, California 94710
Tel: (510) 725-3000
Fax: (510) 725-3001
jefff@hbsslw.com
shanas@hbsslw.com

Jason A. Zweig (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
555 Fifth Avenue, Suite 1700
New York, New York 10017
Tel.: (212) 752-5455
Fax: (917) 210-3980
jasonz@hbsslw.com

Kyle J. McGee (*pro hac vice*)
GRANT & EISENHOFER P.A.
123 Justison Street
Wilmington, Delaware 19801
Tel.: (302) 622-7000
Fax: (302) 622-7100
kmcgee@gelaw.com

Attorneys for Plaintiffs and the Proposed Class

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

FILER'S ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that the other signatory listed, on whose behalf the filing is submitted, concurs in the filing's content and has authorized the filing.

Dated: March 9, 2016

O'MELVENY & MYERS LLP

By: /s/ Randall W. Edwards
RANDALL W. EDWARDS

Attorneys for Defendant Ford Motor Company

[PROPOSED] ORDER

Having reviewed the foregoing stipulated request, other matters properly before the Court, and the record in this case, and good cause appearing, it is hereby ORDERED that Defendant Ford Motor Company shall have ⁵⁰75 pages for its Opposition to Plaintiffs' Motion for Class Certification.

IT IS SO ORDERED.

Dated: March 10, 2016

