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13	UNITED STATES DI	STRICT COURT
14	NORTHERN DISTRICT OF CALIFORNIA	
15	SAN FRANCISCO DIVISION	
16		
17	JENNIFER KIRK, an individual, on her own	Case No. 3:13-cv-05885-SC
18	behalf and on behalf of all others similarly situated,	CLASS ACTION
19	Plaintiff,	STIPULATION AND [PROPOSED]
20	V.	ORDER TO STAY ACTION PENDING JPML DECISION
21	TARGET CORPORATION, a Minnesota	[N.D. CAL. CIVIL L.R. 7-12]
22	Corporation; and DOES 1-10,	Ctrm: 1
23	Defendants.	Judge: Hon. Samuel Conti
24		Complaint Filed: Dec. 19, 2013 Trial Date: None Set
25		Initial CMC: March 21, 2014
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28	STIPULATION AND [PROPOSED] ORDER TO STAY PENDING JPMI	Decision
	CASE No. 13-CV-5885-SC	L DECISION
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STIPULATION TO STAY

WHEREAS plaintiff Jennifer Kirk filed the complaint in the above-captioned action against Defendant Target Corporation ("Target") on December 19, 2013 ("Complaint");

WHEREAS Target has identified at least 80 actions asserting substantially similar allegations against Target pending in courts across the country;

WHEREAS there have been numerous petitions submitted to the Judicial Panel on Multidistrict Litigation ("JPML") to consolidate these cases into a single multidistrict litigation ("MDL");

WHEREAS the parties expect that this action, along with the other similar actions, will be consolidated into an MDL, and that the JPML will also decide where the cases will be transferred as an MDL;

WHEREAS this action has only just commenced and there has been little activity in the case;

WHEREAS this Court has the inherent power to grant a stay, especially in circumstances such as here, where doing so would promote judicial economy and avoid prejudice to the parties, see, e.g., Landis v. North Am. Co., 299 U.S. 248, 254 (1936); McVicar v. Goodman Global Inc., No. SACV 13–1223–DOC (RNBx), 2013 WL 6212149, at *2 (C.D. Cal., Nov. 25, 2013) (staying action pending JPML decision);

WHEREAS absent a stay, the Court and the parties would face case management obligations and deadlines and, in light of the likelihood that there will be an MDL consolidating these actions for the purpose of pretrial proceedings, a stay is necessary and prudent to avoid duplication of pretrial efforts by the parties, any waste of judicial resources, and the risk conflicting rulings;

WHEREAS the parties have met and conferred and agree that this action should be stayed pending a decision by the JPML regarding the MDL Number 2522;

NOW, THEREFORE, the parties hereby stipulate and request that the Court enter an order that:

1. This action is otherwise STAYED pending the decision of the JPML in *In re Target*

1	Corp. Customer Data Security Breach Litig., MDL No. 2522;	
2	2. Defendant's Motion to Stay Proceedings Pending JPML Consideration or in the	
3	Alternative Motion for Enlargement of Time to Respond to Complaint, (ECF No. 17), is	
4	WITHDRAWN;	
5	3. All deadlines, including defendant's obligation to respond to the Complaint, are	
6	VACATED until further order of the Court;	
7	4. The parties shall notify the Court of the JPML's decision within 10 days of the	
8	decision if the Court is not otherwise notified.	
9	Dated: February 26, 2014	MORRISON & FOERSTER LLP
10		
11		By: /s/ David F. McDowell DAVID F. MCDOWELL
12		
13		Attorneys for Defendant TARGET CORPORATION
14	Dated: February 26, 2014	AHDOOT & WOLFSON, APC
15		
16		By: /s/ Robert Ahdoot ROBERT AHDOOT
17		Attorneys for Plaintiff
18		JENNIFER KIRK
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1	ATTESTATION OF FILER		
2	I, David F. McDowell, hereby attest that concurrence in the filing of this document has		
3	been obtained from each of the other signatories. See Civ. L.R. 5-1(i)(3).		
4	Dated: February 26, 2014 By: /s/ David F. McDowell		
5	David F. McDowell MORRISON & FOERSTER LLP		
6			
7	ODDED		
8	ORDER PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO		
9	ORDERED.		
10	STATU CA		
11			
12	Dated: 03/03/2014		
13	Horion JN T		
14	sf-3388382 Judge Samuel Conti		
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16	PRINT DISTRICT OF CE		
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