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 MERCEDES-BENZ U.S.A., LLC

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
 11

12 DIGBY ADLER GROUP, LLC, dba
 BANDAGO LLC, on behalf of itself and
 13 all others similarly situated,
 14 Plaintiff,
 15 v.
 16 MERCEDES-BENZ U.S.A., LLC; and
 DOES 1 through 50, inclusive,
 17 Defendants.
 18

Case No. 3:14-cv-02349 TEH
**~~PROPOSED~~ ORDER ON STIPULATION RE
 SECOND AMENDED COMPLAINT AND
 REQUEST TO CONTINUE INITIAL CASE
 MANAGEMENT CONFERENCE**

1 **Order**

2 For good cause shown, the Court hereby enters the parties Stipulation Regarding
3 Second Amended Complaint and Request to Continue Initial Case Management
4 Conference as the Order of the Court. The Court orders as follows:

5 a. Pursuant to Defendant's consent, the Second Amended Complaint ("SAC")
6 is accepted for filing under Fed. R. Civ. P. 15(a)(2), thereby superseding the First
7 Amended Complaint and mooted Defendant's Motion to Dismiss the First Amended
8 Complaint. Accordingly, the hearing on Defendant's Motion to Dismiss, currently
9 scheduled for October 27, 2014, at 10:30 a.m., is vacated.

10 b. Defendant shall file its response to the SAC no later than October 20, 2014.

11 c. If Defendant's response to SAC is a motion, the briefing schedule shall be as
12 follows:

- 13 • November 10, 2014 – Plaintiff files opposition; and
- 14 • November 24, 2014 – Defendant files reply.

15 d. The initial case management conference in this matter currently set for
16 Monday, November 24, 2014, at 1:30 p.m. is hereby continued to December 15, 2014, at
17 ~~10:00 a.m.~~ 1:30 p.m. All current dates related to the CMC date—including, for example, dates for
18 ADR procedures, Rule 26(f) meet-and-confer requirements, etc.—will be continued
19 accordingly.

20 **IT IS SO ORDERED.**

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23 DATED: _____ 09/15 _____, 2014

