1 2 3 4 5 6 7 8 9 10 11 12	Facsimile: (925) 407-2700 E-Mail: scott@bursor.com apersinger@bursor.com ykrivoshey@bursor.com <i>Attorneys for Plaintiff</i>	COOLEY LLP WILLIAM P. DONOVAN, JR. (155881) (wdonovan@cooley.com) PATRICIA A. EBERWINE (258916) (peberwine@cooley.com) JOSEPH B. WOODRING (272940) (jwoodring@cooley.com) 1333 2 <sup>nd</sup> Street, Suite 400 Santa Monica, CA 90401 Telephone: (310) 883-6400 Facsimile: (310) 883-6500 MATTHEW D. CAPLAN (260388) (mcaplan@cooley.com) 101 California Street, 5th Floor San Francisco, CA 94111-5800 Telephone: (415) 693-2000 Facsimile: (415) 693-2222 Attorneys for defendant ZIPCAR, INC.
13	UNITED STATES D	DISTRICT COURT
14	NORTHERN DISTRIC	CT OF CALIFORNIA
15	SAN FRANCIS	CO DIVISION
16	GABRIELA BAYOL, individually and on behalf	Case No. 3:14-cv-02483 TEH
17	of all others similarly situated,	MODIFIED
18	Plaintiff,	STIPULATION AND [ <del>TROPOSED</del> ] ORDER REGARDING
19	v.	DEFENDANT'S MOTION TO DISMISS FOR LACK OF SUBJECT
20	ZIPCAR, INC.,	MATTER JURISDICTION
21	Defendant.	The Honorable Thelton E. Henderson
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	STIPULATION AND [PROPOSED] ORDER REGARDING FOR LACK OF SUBJECT MATTER JURISDICTION CASE NO. 3:14-CV-02483 TEH	G DEFENDANT'S MOTION TO DISMISS Dockets.Justia.

1	WHEREAS, Defendant Zipcar, Inc. has indicated that it intends to file a motion to dismiss for	
2	lack of subject matter jurisdiction pursuant to FRCP 12(b)(1).	
3	WHEREAS, the Court previously scheduled a case management conference for June 8, 2015.	
4	WHEREAS, the parties have met and conferred regarding the briefing schedule for	
5	Defendant's motion.	
6	NOW THEREFORE, the parties stipulate, subject to the Court's approval, to the following	
7	schedule.	
8	1. Defendant Zipcar will file its motion to dismiss for lack of subject matter jurisdiction	
9	on or before May 26, 2015.	
10	2. Plaintiff Gabriela Bayol will file her opposition to the motion to dismiss on or before	
11	June 16, 2015.	
12	3. Defendant Zipcar will file its reply in support of its motion to dismiss on or before June	
13	30, 2015.	
14	4. The hearing on Defendant's motion to dismiss will be July $\frac{1}{100}$ , 2015 at 10:00 a.m. or at	
15	such other date and time as is convenient for the Court.	
16	5. The parties propose that the case management conference currently scheduled for June $27$	
17	8, 2015 be rescheduled for July $\frac{1}{23}$ , 2015 at 10:00 a.m., or at a time convenient for the Court after the	
18	Court rules on Zipcar's FRCP 12(b)(1) motion.	
19	IT IS SO STIPULATED.	
20		
21	Dated: May 21, 2015 BURSOR & FISHER, P.A.	
22	By: /s/L. Timothy Fisher	
23	By: <u>/s/ L. Timothy Fisher</u> L. Timothy Fisher	
24	Scott A. Bursor (State Bar No. 276006) L. Timothy Fisher (State Bar No. 191626)	
25	Annick M. Persinger (State Bar No. 272996) Yeremey Krivoshey (State Bar No. 295032)	
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28	STIPULATION AND [PROPOSED] ORDER REGARDING DEFENDANT'S MOTION TO DISMISS1FOR LACK OF SUBJECT MATTER JURISDICTION1CASE NO. 3:14-CV-02483 TEH1	

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3	ykrivoshey@bursor.com	
4	Attorneys for Plaintiff Gabriela Bayol	
5	Dated: May 21, 2015 COOLEY LLP	
6		
7	By: <u>/s/ William P. Donovan, Jr.</u> William P. Donovan, Jr.	
8	William P. Donovan, Jr. (State Bar No. 155881)	
9	Patricia A. Eberwine (Sate Bar No. 258916) Joseph B. Woodring (State Bar No. 272940) 1333 2 <sup>nd</sup> Street, Suite 400	
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16	E-Mail: mcaplan@cooley.com	
17	Attorneys for Defendant Zipcar, Inc.	
18 10	PURSUANT TO STIPULATION, IT IS SO ORDEREDAS MODIFIED.	
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20	STATES DIOTACT CO	
21	THELTON P THELTON P IT IS SO ORDERED THET SO ORDERED THET SO ORDERED	
22	S IT IS SO ORDER FICT Judge	
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25	CRN DISTRICT OF	
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28	STIPULATION AND [PROPOSED] ORDER REGARDING DEFENDANT'S MOTION TO DISMISS FOR LACK OF SUBJECT MATTER JURISDICTION CASE NO. 3:14-CV-02483 TEH	