

1 CARI K. DAWSON (admitted *pro hac vice*)
2 cari.dawson@alston.com
3 **ALSTON & BIRD LLP**
4 One Atlantic Center
5 1201 West Peachtree Street
6 Atlanta, GA 30309-3424
7 Telephone: 404-881-7000
8 Facsimile: 404-881-7777

9 *Liaison Counsel for the Porsche Defendants*

JOSHUA H. VAN EATON
josh.van.eaton@usdoj.gov
BETHANY ENGEL
bethany.engel@usdoj.gov
Environmental Enforcement Section
Environment and Natural Resources Division
**UNITED STATES DEPARTMENT OF
JUSTICE**
P.O. Box 7611
Washington, DC 20044-7611
Telephone: (202) 514-6892
Facsimile: (202) 514-0097

Counsel for the United States

10
11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 IN RE: VOLKSWAGEN "CLEAN DIESEL"
14 MARKETING, SALES PRACTICES, AND
15 PRODUCTS LIABILITY LITIGATION

16 THIS DOCUMENT RELATES TO:

17 *United States of America v. Volkswagen AG, et al.*,
18 Case No. 3:16-cv-00295

MDL 2672
Case No. 3:15-MD-02672-CRB

The Honorable Charles R. Breyer

**STIPULATION AND ORDER TO EXTEND
DEADLINE TO RESPOND TO THE
PORSCHÉ DEFENDANTS' PARTIAL
MOTION TO DISMISS**

1 WHEREAS, on February 25, 2016, the Court entered Pre-Trial Order No. 9 (Docket No.
2 1252), which, in Paragraph 3(A), required Defendants Volkswagen AG, Volkswagen Group of
3 America, Inc., Volkswagen Group of America Chattanooga Operations, LLC, Audi AG, Dr. Ing. h.c.
4 F. Porsche AG, and Porsche Cars North America, Inc. to answer, move to dismiss or otherwise
5 respond to the United States' January 4, 2016 complaint (the "Complaint") by April 15, 2016;

6 WHEREAS, on April 8, 2016, following stipulation and agreement among the parties, the
7 Court continued until May 16, 2016 the deadline for the Defendants to answer, move to dismiss or
8 otherwise respond to the Complaint;

9 WHEREAS, on May 16, 2016, Defendants Dr. Ing. h.c. F. Porsche AG and Porsche Cars
10 North America, Inc. (the "Porsche Defendants") filed a motion to dismiss Count 3 of the Complaint
11 (the "Motion");

12 WHEREAS, the United States' response to the Motion was previously due on May 31, 2016;

13 WHEREAS, on May 27, 2016, following stipulation and agreement among the parties, the
14 Court continued until June 20, 2016 the deadline for the United States to respond to the Motion;

15 WHEREAS, the Porsche Defendants and the United States have agreed to an additional
16 extension of time for the United States to respond to the Motion up to and including July 29, 2016;

17 WHEREAS, such extension will allow the parties additional time to work toward a just and
18 efficient resolution of this matter and will not impact the schedule for this case;

19 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
20 United States and the Porsche Defendants, that the deadline for the United States to respond to the
21 Motion shall be continued until July 29, 2016.

1 Respectfully submitted,
2

3 DATED: June 16, 2016

ALSTON & BIRD LLP

4 By: /s/ Cari K. Dawson
Cari K. Dawson

5 *Liaison Counsel for the Porsche Defendants*
6

7 DATED: June 16, 2016

UNITED STATES OF AMERICA

8 By: /s/ Joshua H. Van Eaton
Joshua H. Van Eaton

9 *Counsel for the United States*
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 16, 2016.



CHARLES R. BREYER
United States District Judge

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ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

Dated: June 16, 2016

ALSTON & BIRD LLP

By: /s/ Cari K. Dawson
Cari K. Dawson

Liaison Counsel for the Porsche Defendants