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14 TOYOTA MOTOR SALES, U.S.A., INC.

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23 Attorneys for Plaintiffs  
24 MICHAEL ROBEY, MOE ASGHARNIA and  
25 JAMES COMB Individually and On Behalf  
26 of a Class of Similarly Situated Individuals

27 **UNITED STATES DISTRICT COURT**  
28 **NORTHERN DISTRICT OF CALIFORNIA,**  
**SAN FRANCISCO DIVISION**

29 MICHAEL ROBEY, MOE ASGHARNIA and  
30 JAMES COMB Individually and On Behalf of a  
31 Class of Similarly Situated Individuals,

32 Plaintiffs,

33 vs.

34 TOYOTA MOTOR SALES, U.S.A., INC. and  
35 TOYOTA MOTOR CORPORATION,

36 Defendants.

Case No. 3:16-cv-07212-EMC

[Assigned to Hon. Edward M. Chen]

**CLASS ACTION**

**JOINT STIPULATION AND [PROPOSED]  
ORDER CONCERNING TIME TO FILE  
RESPONSE TO AMENDED COMPLAINT**

Complaint Filed: December 16, 2016  
Complaint Served: January 6, 2017  
1<sup>st</sup> Amended Complaint Filed: April 7, 2017

1 Plaintiff MICHAEL ROBEY, MOE ASGHARNIA and JAMES COMB Individually and On  
2 Behalf of a Class of Similarly Situated Individuals (“Plaintiffs”), and Defendant TOYOTA  
3 MOTOR SALES, U.S.A., INC. (“Defendant”) (collectively the “Parties”), by and through their  
4 respective counsel, hereby stipulate as follows:

5 **WHEREAS**, Plaintiffs filed this putative class action complaint against Defendant in the  
6 Northern District of California, San Francisco Division, on December 16, 2016 (the “Complaint”);

7 **WHEREAS**, Plaintiffs served the Complaint on Defendant on January 5, 2017;

8 **WHEREAS**, Defendant filed a Motion to Dismiss the Complaint on February 24, 2017;

9 **WHEREAS**, Plaintiffs filed an Amended Complaint on April 7, 2017, containing  
10 significant amendments;

11 **WHEREAS**, Defendant’s response to Plaintiffs’ Amended Complaint is currently due on  
12 May 12, 2017;

13 **WHEREAS**, the Parties are engaged in discussions to determine whether it is feasible to  
14 resolve this matter without the need for further litigation;

15 **WHEREAS**, the Parties agree that a brief two-week continuance of the deadline for  
16 Defendant to respond to Plaintiffs’ Amended Complaint will facilitate the Parties’ settlement  
17 discussions, and result in a more efficient expenditure of judicial resources;

18 **WHEREAS**, the Parties request that Defendant’s deadline to respond to Plaintiffs’  
19 Amended Complaint, currently set for May 12, 2017, be continued to May 26, 2017;

20 **WHEREAS**, the Parties have previously requested one extension of time for Defendant to  
21 file a response to Plaintiffs’ Amended Complaint;

22 **WHEREAS**, counsel for Defendant, as the filer of this document, attests that concurrence in  
23 the filing of the document has been obtained from each of the other signatories;

24 **IT IS THEREFORE STIPULATED BETWEEN THE PARTIES THAT**, subject to the  
25 Court’s approval:

26 1. Defendant’s response to Plaintiffs’ Amended Complaint shall be continued from  
27 May 12, 2017, until May 26, 2017.

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Dated: May 9, 2017

DYKEMA GOSSETT LLP

By: /s/ Tamara A. Bush  
John M. Thomas  
Tamara A. Bush  
Attorneys for Defendant  
TOYOTA MOTOR SALES, U.S.A., INC.

Dated: May 9, 2017

GLANCY PRONGAY & MURRAY LLP

By: /s/ Mark S. Greenstone  
Lionel Z. Glancy  
Mark S. Greenstone  
Attorneys for Plaintiffs  
MICHAEL ROBAY, MOE ASGHARNIA  
and JAMES COMB Individually and On  
Behalf of a Class of Similarly Situated  
Individuals

**General Order 45, Section X Certification**

The filing attorney hereby certifies that concurrence in the filing of the document has been obtained from each signatory, in accordance with N.D. Cal. Gen. Order 45, Section X(B).

~~[PROPOSED]~~ ORDER

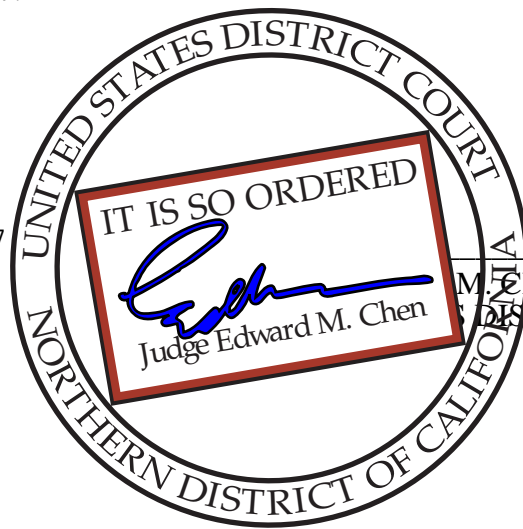
Having reviewed the Parties' Joint Stipulation and [Proposed] Order Concerning Time to File Response to Amended Complaint, and for good cause appearing, **IT IS HEREBY ORDERED**

**THAT:**

1. Defendant's response to Plaintiffs' Amended Complaint shall be continued from May 12, 2017, until May 26, 2017.

**IT IS SO ORDERED.**

DATED: May 10, 2017



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M. CHEN  
DISTRICT JUDGE

DYKEMA GOSSETT LLP  
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LOS ANGELES, CA 90071

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