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14 Attorneys for Plaintiffs
MICHAEL ROBEY, MOE ASGHARNIA and
15 JAMES COMB Individually and On Behalf
of a Class of Similarly Situated Individuals

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17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA,**
19 **SAN FRANCISCO DIVISION**

20 MICHAEL ROBEY, MOE ASGHARNIA and
JAMES COMB Individually and On Behalf of a
21 Class of Similarly Situated Individuals,

22 Plaintiffs,

23 vs.

24 TOYOTA MOTOR SALES, U.S.A., INC. and
TOYOTA MOTOR CORPORATION,

25 Defendants.
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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 5, 2017
1st 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**, on May 10, 2017, pursuant to stipulation of the parties, this court entered an
12 order granting an extension of time until May 26, 2017 for Defendant to file a response to Plaintiffs’
13 Amended Complaint;

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

16 **WHEREAS**, the Parties agree that a 45-day continuance of the deadline for Defendant to
17 respond to Plaintiffs’ Amended Complaint will facilitate the Parties’ settlement discussions, and
18 result in a more efficient expenditure of judicial resources. The parties have made some progress in
19 their discussions and do not presently believe a further continuance will be necessary;

20 **WHEREAS**, the Parties request that Defendant’s deadline to respond to Plaintiffs’
21 Amended Complaint, currently set for May 26, 2017, be continued to July 10, 2017;

22 **WHEREAS**, the Parties have previously requested two extensions of time for Defendant to
23 file a response to Plaintiffs’ Amended Complaint;

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

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

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1 1. Defendant’s response to Plaintiffs’ Amended Complaint shall be continued from
2 May 26, 2017, until July 10, 2017. If by that date the parties have reached an agreement in
3 principal, they shall notify the Court and provide a timeframe by which they believe a settlement
4 will be finalized, Defendant shall be relieved of its obligation to respond to the Complaint during
5 that period, subject to the Court’s approval.

6 Dated: May 25, 2017

DYKEMA GOSSETT LLP

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

14 Dated: May 25, 2017

GLANCY PRONGAY & MURRAY LLP

15 By: /s/ Mark S. Greenstone
16 Lionel Z. Glancy
17 Mark S. Greenstone
18 Attorneys for Plaintiffs
19 MICHAEL ROBEY, MOE ASGHARNIA
20 and JAMES COMB Individually and On
21 Behalf of a Class of Similarly Situated
22 Individuals

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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).

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~~PROPOSED~~ ORDER

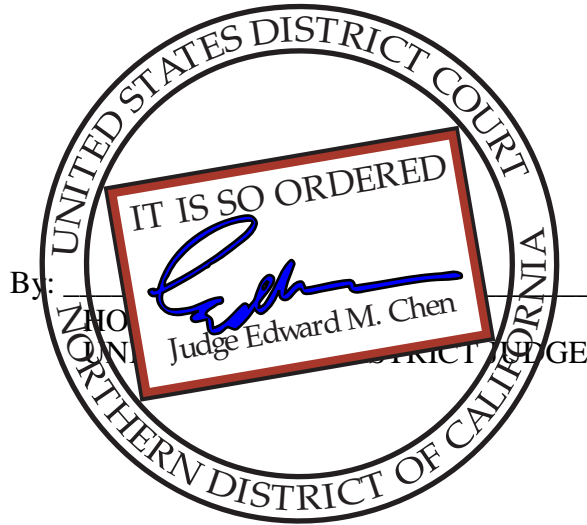
Having reviewed the Parties' Joint Stipulation and [Proposed] Order Concerning Time to File Response to Amended Complaint, and for good cause appearing, **IT IS HEREBY ORDERED**

THAT:

1. Defendant's response to Plaintiffs' Amended Complaint shall be continued from May 26, 2017, until July 10, 2017.

IT IS SO ORDERED.

DATED: 5/30/17



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