

1 Robert J. Giuffra, Jr. (*pro hac vice forthcoming*)  
 giuffrar@sullcrom.com  
 2 William B. Monahan (*pro hac vice forthcoming*)  
 monahanw@sullcrom.com  
 3 Darrell S. Cafasso (*pro hac vice forthcoming*)  
 cafassod@sullcrom.com  
 4 SULLIVAN & CROMWELL LLP  
 125 Broad Street  
 5 New York, New York 10004  
 Telephone: (212) 558-4000  
 6 Facsimile: (212) 558-3588

7 Kyle Niemi (SBN 4147849)  
 niemik@sullcrom.com  
 8 SULLIVAN & CROMWELL LLP  
 9 1870 Embarcadero Road  
 Palo Alto, California 94303  
 10 Telephone: (650) 461-5600  
 Facsimile: (650) 461-7700

11 *Counsel for Defendant FCA US LLC*

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **SAN FRANCISCO DIVISION**

16 CHRISTOPHER WALKER and  
 17 BETTY LOU RUGG, individually  
 and on behalf of all others similarly  
 18 situated,

19 Plaintiffs,

20 v.

21 FCA US LLC, a Delaware limited  
 22 liability company; FIAT CHRYSLER  
 AUTOMOBILES N.V., a corporation  
 23 organized under the laws of the  
 Netherlands; ROBERT BOSCH  
 24 GmbH, a corporation organized under  
 the laws of Germany; and ROBERT  
 25 BOSCH LLC, a Delaware limited  
 26 liability company,

27 Defendants.

Case No. 3:17-cv-00405-EDL

**STIPULATION AND**  
~~PROPOSED~~ **ORDER TO STAY**  
**ACTION PENDING DECISION**  
**BY THE JUDICIAL PANEL ON**  
**MULTIDISTRICT LITIGATION**

Judge: Honorable Elizabeth D. Laporte

1  
2 WHEREAS, on January 26, 2017, plaintiffs Christopher Walker and  
3 Betty Lou Rugg (“Plaintiffs”) filed a complaint (the “Complaint”) against FCA US  
4 LLC (“FCA”), Fiat Chrysler Automobiles N.V., Robert Bosch GmbH, and Robert  
5 Bosch LLC (together, “Defendants”);<sup>1</sup>

6 WHEREAS, the Complaint alleges that Defendants made false  
7 representations concerning vehicle emissions and fuel efficiency concerning  
8 FCA’s model year 2014-2016 Dodge Ram 1500 and model year 2014-2016 Jeep  
9 Grand Cherokee vehicles equipped with 3.0-liter “EcoDiesel” engines (*see* Dkt. 1,  
10 at 3-4);

11 WHEREAS, Plaintiffs allege that the vehicles were equipped with a  
12 so-called “defeat device” designed to limit emissions and increase fuel efficiency  
13 in testing conditions (*see id.* at 4-5);

14 WHEREAS, Plaintiffs purport to bring suit on behalf of a national,  
15 putative class of purchasers and lessees of the Dodge Ram 1500 and Jeep Grand  
16 Cherokee vehicles with EcoDiesel engines (*see id.* at 2, 15);

17 WHEREAS, at least eight other putative class action lawsuits (with  
18 the instant action, the “Actions”) have been filed against FCA and/or Defendants  
19 making similar allegations concerning false representations of fuel efficiency and  
20 vehicle emissions in FCA vehicles with diesel engines that were allegedly  
21 equipped with “defeat devices,”<sup>2</sup> and additional such suits may be filed in the  
22 future;

23  
24 <sup>1</sup> By entering into this stipulation, Defendants do not waive, and expressly  
25 preserve, all defenses, including all defenses concerning jurisdiction, service or  
otherwise.

26 <sup>2</sup> *Stephens v. FCA US LLC et al.*, No. 17-cv-00040 (M.D. Ala.); *Chavez v.*  
27 *FCA US LLC et al.*, No. 16-cv-06909 (N.D. Cal.); *Warren v. FCA US LLC et al.*,  
28 No. 17-cv-00059 (N.D. Ala.); *Carpenter v. FCA US LLC et al.*, No. 17-cv-00288  
(N.D. Cal.); *Fasching v. FCA US LLC et al.*, No. 17-cv-00231 (N.D. Cal.); *Kitchel*  
*v. FCA US LLC et al.*, No. 17-cv-00538 (N.D. Cal.); *Sebastian v. FCA US LLC et*

1           WHEREAS, plaintiffs in one of the Actions, *Warren v. FCA US LLC*,  
2 No. 17-cv-00059, have filed a motion with the Judicial Panel on Multidistrict  
3 Litigation (“JPML”) requesting Transfer and Centralization of all Related Cases  
4 (and any future-filed “tag-along” actions) for coordinated or consolidated pretrial  
5 proceedings in a multidistrict litigation (“MDL”; the “MDL Motion”), *see In re*  
6 *Chrysler-Dodge-Jeep EcoDiesel Mktg., Sales Practices, and Prods. Liab. Litig.*,  
7 MDL No. 2777 (J.P.M.L. filed February 9, 2017) (Dkt. No. 1);

8           WHEREAS, FCA intends to file a brief with the JPML supporting  
9 centralization of the Actions, including the instant action, and any “tag-along”  
10 cases in one district for consolidated pre-trial proceedings;

11           WHEREAS, FCA anticipates that the MDL Motion will be set for the  
12 next JPML Hearing Session on March 30, 2017; and

13           WHEREAS, the parties have met and conferred and agree that the  
14 requested stay during the pendency of the MDL Motion and proceedings before the  
15 JPML would save judicial and party resources; and

16           WHEREAS, should a stay order not be entered in any other related  
17 case, either party may make an administrative motion to lift the stay of this action.

18           NOW, THEREFORE, the parties, by and through their undersigned  
19 attorneys, hereby stipulate and request that the Court enter an Order staying all  
20 proceedings in this action, including the filing of an answer, motion to dismiss or  
21 other responsive pleading, until further order of the Court after the JPML has  
22 decided whether to centralize the Actions, including the instant action, in an MDL  
23 proceeding.

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28 *al.*, No. 17-cv-00085 (S.D. Cal.); *Marlatt v. FCA US LLC et al.*, No. 17-cv-00096  
(S.D. Ohio).

1 Dated: February 14, 2017

Respectfully and jointly submitted,

2 /s/ Robert D. Guiffra, Jr.  
3 Robert J. Guiffra, Jr. (*pro hac vice*  
4 *forthcoming*)  
5 giuffrar@sullcrom.com  
6 William B. Monahan (*pro hac vice*  
7 *forthcoming*)  
8 monahanw@sullcrom.com  
9 Darrell S. Cafasso (*pro hac vice*  
10 *forthcoming*)  
11 cafassod@sullcrom.com  
12 SULLIVAN & CROMWELL LLP  
13 125 Broad Street  
14 New York, New York 10004  
15 Telephone: (212) 558-4000  
16 Facsimile: (212) 558-3588

17 Kyle Niemi (SBN 4147849)  
18 niemik@sullcrom.com  
19 SULLIVAN & CROMWELL LLP  
20 1870 Embarcadero Road  
21 Palo Alto, California 94303  
22 Telephone: (650) 461-5600  
23 Facsimile: (650) 461-7700

*Counsel for Defendants FCA US LLC*

24 /s/Matthew D. Slater (with permission)  
25 Matthew D. Slater  
26 mslater@cgsh.com  
27 CLEARY GOTTLIEB STEEN &  
28 HAMILTON LLP  
2000 Pennsylvania Avenue, NW  
Washington, D.C. 20006  
Telephone: (202) 974-1500  
Facsimile: (292) 974-1999

*Counsel for Defendant Robert Bosch  
LLC*

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/s/ Francis O. Scarpulla (with permission)  
Francis O. Scarpulla  
(CASB No. 41059)  
fos@scarpullalaw.com  
Patrick B. Clayton  
(CASB No. 240191)  
pbc@scarpullalaw.com  
LAW OFFICES OF  
FRANCIS O. SCARPULLA  
456 Montgomery Street, 17th Floor  
San Francisco, CA 94104  
Telephone: (415) 788-7210  
Facsimile: (415) 788-0706

Mark F. Anderson (CASB No. 44787)  
mark@aoblawyers.com  
ANDERSON, OGILVIE & BREWER  
1736 Stockton Street, Ground Floor  
San Francisco, CA 94133  
Telephone: (415) 651-1951  
Facsimile: (415) 500-8300

Christina Gill Roseman  
croseman@helpforlemoncars.com  
ROSEMAN LAW FIRM  
8878 Covenant Avenue, No. 315  
Pittsburgh, PA 15237  
Telephone: (800) 745-5259  
Facsimile: (888) 588-1983

Scott R. Kaufman (CASB No. 190129)  
LemonAtty@gmail.com  
KAUFMAN LAW OFFICES  
140 Third Street  
Los Altos, CA 94022  
Telephone: (408) 727-8882  
Facsimile: (408) 272-8883

*Counsel for Plaintiffs*

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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: February 14, 2017

SULLIVAN & CROMWELL LLP

/s/ William B. Monahan  
William B. Monahan

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 2/21/17

Honorable \_\_\_\_\_  
UNITED STATES DISTRICT COURT

