

1 Crystal Foley (SBN 224627)
 2 SIMMONS HANLY CONROY LLC
 3 100 N. Sepulveda Boulevard, Suite 1350
 4 Los Angeles, California 90245
 Telephone: 310.322.3555
 Facsimile: 310.322.3655
cfoley@simmonsfirm.com

5 Paul J. Hanly, Jr. (admitted *pro hac vice*)
 6 Mitchell M. Breit (admitted *pro hac vice*)
 7 SIMMONS HANLY CONROY LLC
 8 112 Madison Avenue
 9 New York, New York 10016
 Telephone: 315.220.0134
 Facsimile: 212.213.5949
phanly@simmonsfirm.com
mbreit@simmonsfirm.com

10 *Attorneys for Plaintiffs*
 11 SHERIDA JOHNSON, HARRY GUNSENHOUSER,
 and SUBRINA SEENARAIN

12 Amir M. Nassihi (SBN 235936)
 13 Andrew L. Chang (SBN 222309)
 SHOOK, HARDY & BACON L.L.P.
 14 One Montgomery, Suite 2700
 15 San Francisco, California 94104
 Telephone: 415.544.1900
 Facsimile: 415.391.0281
anassihi@shb.com
achang@shb.com

17 *Attorneys for Defendant*
 18 NISSAN NORTH AMERICA, INC.

19 **UNITED STATES DISTRICT COURT**
 20 **NORTHERN DISTRICT OF CALIFORNIA**
 21 **SAN FRANCISCO DIVISION**

22 SHERIDA JOHNSON, et al.,
 23 Plaintiffs,
 24 v.
 25 NISSAN NORTH AMERICA, INC.,
 26 Defendant.

Case No. 3:17-cv-00517-WHO

**STIPULATION AND
 ORDER TO RESCHEDULE
 ARGUMENT ON MOTION TO
 DISMISS**

1 Pursuant to paragraph 1(d) of the Honorable William H. Orrick’s Case Management
2 Conference Order (Dkt. 20) and L.R. 6-1(b), 6-2, and 7-12, Plaintiffs Sherida Johnson, Harry
3 Gunsenhouser, and Subrina Seenarain (“Plaintiffs”) and Defendant Nissan North America (“NNA”)
4 (collectively, the “Parties”) enter into this stipulation with reference to the following facts and
5 recitals:

6 WHEREAS, Plaintiffs filed their Second Amended Complaint (“SAC”) on September 18,
7 2017 (Dkt. 56);

8 WHEREAS, NNA filed its Motion to Dismiss the SAC on October 23, 2017 (Dkt.59);

9 WHEREAS Plaintiffs filed their opposition to the Motion to Dismiss on November 13, 2017
10 (Dkt 62) and NNA’s filed its reply be filed on November 29, 2017 (Dkt 64);

11 WHEREAS, the Court entered an order scheduling argument on the Motion to Dismiss on
12 January 3, 2018 (Dkt 61); and

13 WHEREAS, one of Plaintiffs’ lead counsel will be out of the country on that date on a long-
14 standing, previously scheduled holiday vacation and respectfully requests that argument be
15 rescheduled to January 31, 2018;

16 Plaintiffs and NNA stipulate and agree as follows and request the Court enter an Order as
17 follows:

18 1. Argument on NNA’s Motion to Dismiss the Second Amended Complaint shall be
19 held on January 31, 2018;

20 2. The requested modification will not impact the current case schedule

21 IT IS SO STIPULATED.

22
23 Dated: December 7, 2017

24 Respectfully submitted,

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26 SIMMONS HANLY CONROY LLC

27 By: /s/ Mitchell M. Breit
28 MITCHELL M. BREIT

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Attorneys for Plaintiffs

SHOOK, HARDY & BACON L.L.P.

By: /s/ Amir M. Nassihi
AMIR M. NASSIHI
ANDREW L. CHANG

Attorneys for Defendant
Nissan North America, Inc.

Dated: December 7, 2017

Pursuant to L.R. 5-1(i), I attest that concurrence in the filing of this document has been obtained from the other signatories.

By: /s/ Mitchell M. Breit
Mitchell M. Breit

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ORDER

Pursuant to the parties' stipulation, the Court hereby orders as follows:

1. Argument on NNA's Motion to Dismiss the Second Amended Complaint will be held on January 31, 2018;

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 20, 2017


UNITED STATES DISTRICT JUDGE
HONORABLE WILLIAM H. ORRICK