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17 Attorneys for Defendant
18 NISSAN NORTH AMERICA, INC.

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

22 TINISHA MILLER and ROBIN MCCOY,
23 individually and on behalf of those similarly
situated,

24 Plaintiffs,

25 v.

26 NISSAN NORTH AMERICA, INC.,
27

28 Defendant.

Case No. 3:21-cv-01029-WHO

**JOINT STIPULATION AND PROPOSED
ORDER TO CONTINUE RESPONSIVE
PLEADING DEADLINES AND CASE
MANAGEMENT CONFERENCE IN
LIGHT OF AMENDED PLEADING**

1 Pursuant to Civil Local Rule 6-2 Plaintiffs Tinisha Miller and Robin McCoy (“Plaintiffs”)
2 and Defendant Nissan North America, Inc. (“Nissan”) (collectively “the Parties”), by and through
3 their respective counsel of record, hereby stipulate as follows:

4 WHEREAS, the parties have conferred concerning Nissan’s anticipated response to the
5 complaint, and its potential challenges;

6 WHEREAS, without waiving any claims, defenses, or arguments, Plaintiffs intend to file an
7 Amended Complaint;

8 WHEREAS, without any waiver of substantive claims, arguments, or defenses by either
9 Plaintiffs or Nissan, both Parties believe allowing Plaintiffs to amend their Complaint in response
10 to Nissan’s concerns could save time and resources, and limit the scope of potential motion
11 practice;

12 WHEREAS, Parties are also separately conferring on a potential motion to compel
13 arbitration, and are working together to secure and analyze the relevant agreements for further
14 conferrals. Parties agree that, should Nissan move to compel arbitration, parties would confer on a
15 reasonable briefing schedule to allow Plaintiffs at least sixty (60) days for their opposition brief,
16 and Nissan at least thirty (30) days for its reply.

17 WHEREAS, to allow Parties additional time to assess and discuss the amended complaint
18 and discuss the issues in this case, Parties also respectfully request that this Court continue the
19 Case Management Conference presently scheduled for May 18, 2021 at 2:00 p.m. in Courtroom 2
20 to August 18, 2021, in the same department of this Court, or on the next date available for this
21 Court.

22 NOW, THEREFORE, IT IS HEREBY AGREED AND STIPULATED by and between the
23 Parties, through their respective counsel,

- 24 • Plaintiffs shall file their Amended Complaint on or before May 13, 2021.
- 25 • Nissan shall file its Motion to Dismiss the Amended Complaint on or before June
26 18, 2021.

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- Plaintiffs shall have until July 16, 2021 for their opposition to Nissan’s Motion to Dismiss.
- Nissan would have until July 31, 2021 for its reply brief.
- The hearing on Nissan’s motion to dismiss shall be on August 18, 2021.
- The Initial Case Management Conference in this case is continued from May 18, 2021 to August 18, 2021.

Dated: April 27, 2021

KAZEROUNI LAW GROUP, APC

By: Abbas Kazerounian
Abbas Kazerounian

Attorneys for Plaintiffs
TINISHA MILLER and ROBIN MCCOY

Dated: April 27, 2021

SHOOK HARDY & BACON L.L.P.

By: Amir Nassihi
Amir Nassihi

Attorneys for Defendant
NISSAN NORTH AMERICA, INC.

IT IS SO ORDERED.

Dated: April 27, 2021



 HONORABLE WILLIAM H. ORRICK

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SIGNATURE ATTESTATION

Pursuant to N.D. Cal. L.R. 5-1(i)(3), I, Amir Nassihi, attest that I have obtained authorization from the above signatories to file the above-referenced document. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: April 27, 2021

/s/ Amir Nassihi
Amir Nassihi