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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 JOHN CHESS

19 Plaintiff,

20 vs.

21 VOLKSWAGEN GROUP OF AMERICA,
22 INC.,

23 Defendant.

Case No. 4:17-cv-07287-HSG

**STIPULATION AND ORDER TO
CONTINUE DEFENDANT'S
DEADLINE TO RESPOND TO
FOURTH AMENDED COMPLAINT**

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26 Pursuant to L.R. 6-1(b), 6-2, and 7-12, Plaintiff (“Plaintiff”) and Defendant (“Defendant”)
27 (together, the “Parties”) enter into this stipulation with reference to the following facts and recitals:

28 WHEREAS, on July 6, 2021 Plaintiff filed his Fourth Amended Complaint (Doc. No.119);

1 WHEREAS, the Parties have reached a class wide settlement of this matter, and a Motion for
2 Preliminary Approval of that settlement has been filed (Dkt. Nos. 121, 122, 123, 124, 125) and is set
3 for a hearing on September 16, 2021;

4 WHEREAS, in light of the proposed class settlement and pending Motion for Preliminary
5 Approval, the Parties agree that Defendant need not respond to the Fourth Amended Complaint at this
6 time, and hereby stipulate to continue and extend said deadline to respond indefinitely, pending further
7 Order of the Court, if necessary, after the Court decides the Motion for Preliminary Approval and the
8 anticipated Motion for Final Approval of the class action settlement; and

9 WHEREAS, good cause supports the requested extension to respond to the Fourth Amended
10 Complaint;

11 NOW, THEREFORE, it is hereby stipulated by and between the Parties to this action that
12 Defendant's deadline to respond to the Fourth Amended Complaint is hereby continued and extended
13 indefinitely, pending further Order of the Court, if necessary, after the approval motions relating to
14 the proposed class settlement are decided.

15 IT IS SO STIPULATED.

16 Dated: July 15, 2021

17 Respectfully submitted,

18 MILBERG COLEMAN BRYSON PHILLIPS
19 GROSSMAN, PLLC

20 By: /s/ Alex Straus
21 ALEX STRAUS

22 *Attorney for Plaintiffs*

23 HERZFELD & RUBIN, P.C.

24 By: /s/ Brian T. Carr
25 BRIAN T. CARR (*pro hac vice*)

26 *Attorney for Defendant*

1 Dated: July 15, 2021

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

4 By: /s/ Alex Straus
5 Alex Straus
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ORDER

As requested by the parties in their Stipulation, and good cause appearing therefore, Defendant's deadline to respond to the Fourth Amended Complaint is hereby continued and extended indefinitely, pending further Order of the Court, if necessary, after the approval motions relating to the proposed class settlement are decided.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 7/19/2021


Hon. Haywood S. Gilliam, Jr.
United States District Judge