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5 Attorneys for Defendants, COMCAST CABLE
 6 COMMUNICATIONS, LLC and COMCAST
 CABLE COMMUNICATIONS MANAGEMENT,
 7 LLC

Attorneys for Plaintiff, DAVID ESCOBAR
 and the Proposed Class

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 OAKLAND DIVISION

12 DAVID ESCOBAR, individually and on
 13 behalf of all others similarly situated,

14 Plaintiffs,

15 v.

16 COMCAST CORPORATION and
 17 COMCAST CABLE COMMUNICATIONS
 MANAGEMENT, LLC,

18 Defendants.

Case No. 4:19-cv-04612-HSG

**STIPULATION AND ~~PROPOSED~~ ORDER TO
 AMEND CAPTION AND TO SUBSTITUTE
 PARTIES**

Date Action Filed: August 9, 2019

1 Plaintiff David Escobar (“Plaintiff”) and Defendant Comcast Cable Communications
2 Management, LLC (“Defendant”) hereby stipulate as follows:

3 **WHEREAS**, Plaintiff filed his Complaint in this action on August 9, 2019;

4 **WHEREAS**, Plaintiff’s Complaint names Comcast Corporation and Comcast Cable
5 Communications Management, LLC as defendants;

6 **WHEREAS**, pursuant to a meet and confer between counsel for Plaintiff and counsel for
7 Defendant, the parties have agreed to substitute Comcast Cable Communications, LLC in place of
8 Comcast Corporation, and to dismiss without prejudice Comcast Corporation from this action;

9 **WHEREAS**, pursuant to a meet and confer between counsel, Plaintiff and Defendant agree that
10 the caption of this action shall be amended to substitute Comcast Cable Communications, LLC in place
11 of Comcast Corporation;

12 **IT IS HEREBY STIPULATED**, by and between the parties, by and through their respective
13 counsel, as follows:

14 1. Each reference to “Comcast Corporation” in the Complaint, Dkt. No. 1, shall be deemed
15 instead a reference to “Comcast Cable Communications, LLC.”

16 2. The caption in this action shall be amended to read as follows:

17 DAVID ESCOBAR, individually and on behalf of all others similarly situated,
18 Plaintiff,

19 v.

20 COMCAST CABLE COMMUNICATIONS, LLC and COMCAST CABLE
21 COMMUNICATIONS MANAGEMENT, LLC,
22 Defendants.

23 3. Plaintiff’s individual claims and the claims of the putative class (as defined in paragraph
24 44 of the Complaint) against Comcast Cable Communications, LLC shall be deemed to relate back to
25 August 9, 2019, i.e., the date of filing of the Complaint.

26 4. Comcast Corporation shall be dismissed without prejudice pursuant to Federal Rule of
27 Civil Procedure 41(a)(1)(A)(ii).
28

1 5. The deadline for Comcast Cable Communications, LLC and Comcast Cable
2 Communications Management, LLC to file an answer or otherwise respond to Plaintiff's Complaint
3 shall be October 31, 2019.

4 6. This stipulation shall not constitute an amendment of the Complaint within the meaning
5 of Federal Rule of Civil Procedure 15.

6 **IT IS SO STIPULATED.**

7 Dated: October 4, 2019

AKIN GUMP STRAUSS HAUER & FELD LLP

8
9 By /s/ Michael J. Stortz
Michael J. Stortz

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11 Attorneys for Defendants, COMCAST CABLE
12 COMMUNICATIONS, LLC and COMCAST
13 CABLE COMMUNICATIONS MANAGEMENT,
14 LLC

14 Dated: October 4, 2019

15 By /s/ Jon B. Fougner
Jon B. Fougner

16
17 Attorneys for Plaintiff DAVID ESCOBAR and the
18 proposed class

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20
21 Dated: 10/4/2019

22 
Hon. Haywood S. Gilliam, Jr.
United States District Court Judge