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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HOYT HAYNES, et al.,
Plaintiffs,
v.
UPONOR, INC., et al.,
Defendants.

Case No. 21-cv-05480-PJH

**STIPULATION PURSUANT TO FED.
R. CIV. P. 15(A)(2)**

Re: Dkt. No. 29

Before the court is the parties' stipulation to alter the briefing schedule and permit plaintiffs to file a second amended complaint. Dkt. 29. Having read the parties' papers, and good cause appearing, the court hereby GRANTS the stipulation as follows:

1. plaintiffs' strict product liability claim for misrepresentation is dismissed without prejudice, with each party bearing their own attorneys' fees and costs;
2. plaintiffs shall file their second amended complaint by November 19, 2021 that does not include a strict product liability claim;
3. defendants shall promptly withdraw their motion to compel arbitration, or, in the alternative, to: (1) stay or dismiss the entire action, (2) dismiss or strike class allegations, and (3) dismiss claims;
4. defendants' renewed motion shall be filed by November 29, 2021;
5. plaintiffs' response to the renewed motion shall be filed by December 13, 2021;
6. defendants' reply shall be filed by January 10, 2022; and
7. the hearing on the renewed motion shall take place on February 3, 2022.

IT IS SO ORDERED.

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Dated: November 19, 2021

/s/ Phyllis J. Hamilton
PHYLLIS J. HAMILTON
United States District Judge