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Attorneys for Plaintiff Amy Wynne

12 [Additional counsel appear on signature page]

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15 AMY WYNNE, individually, and on
 behalf of a class of similarly situated
 16 persons,
 17 Plaintiff,
 18 v.
 19 AUDI OF AMERICA, AUDI OF
 AMERICA, LLC, SANCTUS LLC, DBA
 20 SHIFT DIGITAL, SHIFT DIGITAL, LLC,
 VOLKSWAGEN GROUP OF AMERICA,
 21 INC., and DOES 1-50 inclusive,
 22 Defendants.

Case No. 4:21-cv-08518-DMR
**STIPULATION AND ORDER TO VACATE
 HEARINGS IN LIGHT OF UPCOMING
 MEDIATION**

23 IN RE: VOLKSWAGEN GROUP OF
 AMERICA, INC. DATA BREACH
 24 LITIGATION

Case No. 4:21-cv-09203-DMR

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1 Plaintiff Amy Wynne in *Wynne v. Audi of America, et al.*, Case No. 4:21-cv-08518-DMR (the
2 “*Wynne Action*”), Plaintiffs John Hajny, Ricardo Villalobos, Anthony Service and Jeremy Adams in
3 *In Re: Volkswagen Group of America, Inc. Data Breach Litig.*, Case No. 3:21-cv-09203-DMR (the
4 “*In Re: Volkswagen Action*”) (collectively, “Plaintiffs”), Defendants Audi of America, LLC, Sanctus
5 LLC, DBA Shift Digital, and Volkswagen Group of America, Inc. (collectively, “Defendants” and,
6 together with Plaintiffs, the “Parties”), by and through their attorneys of record, hereby stipulate as
7 follows:

8 WHEREAS, on December 29, 2021, the Court related the *In Re: Volkswagen Action* to the
9 *Wynne Action* (*In Re: Volkswagen*, ECF No. 56; Declaration of Rachele R. Byrd filed herewith (“Byrd
10 Decl.”), ¶ 3);

11 WHEREAS, the Initial Case Management Conference (“CMC”) in the *In Re: Volkswagen*
12 Action has been set for March 3, 2022 at 01:30 PM (*In Re: Volkswagen*, ECF No. 29; Byrd Decl., ¶
13 4);

14 WHEREAS, the CMC in the *Wynne Action* has been set for June 22, 2022 at 01:30 PM (*Wynne*,
15 ECF No. 27; Byrd Decl., ¶ 5);

16 WHEREAS, plaintiff Wynne filed a motion to remand on December 1, 2021, and Defendant
17 Sanctus LLC, DBA Shift Digital filed an opposition on January 12, 2022. Plaintiff Wynne has not
18 filed a reply to date as the extended due date for her reply is February 23, 2022. The hearing on the
19 remand motion is scheduled for March 24, 2022, at 1:00 p.m. (ECF No. 44; Byrd Decl., ¶ 6);

20 WHEREAS, the Parties have met and conferred regarding potential early resolution and are
21 scheduling a mediation with Hon. Wayne Andersen of JAMS for May 18, 2022 (*id.*, ¶ 7);

22 WHEREAS, to conserve the resources of the Parties and the Court, the Parties submit that the
23 existing deadlines should be stayed until after the Parties’ upcoming mediation (*id.*, ¶ 8);

24 WHEREAS, this stipulation is made without prejudice to any party, in good faith, and not for
25 purposes of delay;

26 THEREFORE, IT IS HEREBY STIPULATED AND AGREED that, subject to Court
27 approval, the hearing on the motion for remand in the *Wynne Action* and the Initial CMCs in the *Wynne*
28 Action and in the *In Re: Volkswagen Action* shall be taken off calendar. The Parties shall jointly report

1 to the Court by June 13, 2022, as to the outcome of the mediation and recommend a schedule for either
2 (1) any filings relating to a mediated settlement, *e.g.*, a consolidated complaint and/or a motion for
3 preliminary approval of a settlement, or (2) for the completion of briefing and hearing on the *Wynne*
4 motion to remand and the CMCs in these two related cases.

5 **IT IS SO STIPULATED.**

6 DATED: February 23, 2022

RIGHETTI GLUGOSKI, P.C

7
8 */s/ Matthew Righetti*

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13 *Attorneys for Plaintiff Amy Wynne*

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15 DATED: February 23, 2022

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DATED: February 23, 2022

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DATED: February 23, 2022

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 /s/ Colin R. Jennings
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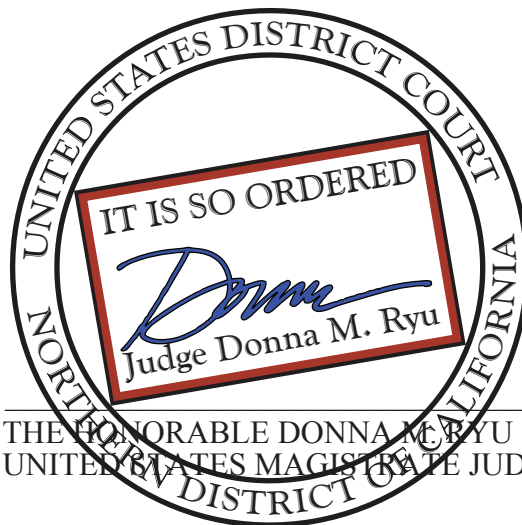
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ORDER

PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, THE COURT ORDERS AS FOLLOWS:

The hearing on the motion for remand in the *Wynne* Action and the Initial CMCs in the *Wynne* Action and in the *In Re: Volkswagen* Action shall be taken off calendar. The Parties shall jointly report to the Court by June 13, 2022, as to the outcome of the mediation and recommend a schedule for either (1) any filings relating to a mediated settlement, *e.g.*, a consolidated complaint and/or a motion for preliminary approval of a settlement, or (2) for the completion of briefing and hearing on the *Wynne* motion to remand and the CMCs in these two related cases.

Dated: February 24, 2022



THE HONORABLE DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE