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13
 14 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 15 **OAKLAND DIVISION**

16 NELSON SEQUEIRA, ORSAY ALEGRIA,
 and ISMAEL CORDERO, individually and on
 17 behalf of all others similarly situated,

18 *Plaintiffs,*

19 v.

20 U.S. DEPARTMENT OF HOMELAND
 SECURITY; U.S. IMMIGRATION &
 21 CUSTOMS ENFORCEMENT; WESTERN
 UNION FINANCIAL SERVICES, INC., a
 22 Colorado corporation; CONTINENTAL
 EXCHANGE SOLUTIONS, INC., a Kansas
 23 corporation, d/b/a RIA FINANCIAL
 SERVICES and AFEX MONEY EXPRESS;
 24 VIAMERICAS CORPORATION, a Delaware
 Corporation; and DOLEX DOLLAR
 25 EXPRESS, INC., a Texas corporation,
 26

27 *Defendants.*

Case No. 4:22-cv-07996-HSG
 Hon. Haywood S. Gilliam, Jr.

**JOINT STIPULATION AND
 ORDER RE: MONEY TRANSFER
 BUSINESS DEFENDANTS' DEADLINE
 TO RESPOND TO PLAINTIFFS'
 FIRST AMENDED COMPLAINT**

Action Filed: December 12, 2022
 Trial Date: None Set

1 **STIPULATION**

2 WHEREAS, Plaintiffs Nelson Sequeira, Orsay Alegria, Ismael Cordero and Raul Lopez
3 (“Plaintiffs”) filed their complaint on December 12, 2022, *see* Docket No. 1;

4 WHEREAS, Plaintiffs and each of the then-named Money Transfer Business Defendants
5 agreed to extend those Defendants’ deadlines to respond to the Complaint to February 24, 2023, *see*
6 Docket Nos. 19 (Dolex), 20 (Viamericas), 21 (Continental), and 31 (The Western Union Company);

7 WHEREAS, subsequently, counsel for The Western Union Company (“TWUC”) advised
8 Plaintiffs of their view that this Court lacked personal jurisdiction over TWUC because Plaintiffs
9 had transacted with TWUC’s subsidiary, Western Union Financial Services, Inc. (“WUFSI”);

10 WHEREAS, based on TWUC’s counsel’s representations (but without conceding any legal
11 positions), Plaintiffs agreed to substitute WUFSI as a named Defendant in lieu of TWUC;

12 WHEREAS, Plaintiffs effectuated that substitution by filing a First Amended Complaint as
13 of right pursuant to Federal Rule of Civil Procedure 15(a)(1) on January 24, 2023, *see* Docket No.
14 38, wherein the following additional changes were made: Mr. Raul Lopez was removed as a named
15 plaintiff, the spelling of Mr. Nelson Sequeira’s name was corrected, and allegations with information
16 based on recent news reports were added; and,

17 WHEREAS, Plaintiffs and counsel for the Money Transfer Business Defendants have met
18 and conferred regarding a proposed schedule for these Defendants’ responses to the First Amended
19 Complaint, as well as a briefing schedule should any of the Money Transfer Business Defendants
20 respond with a motion filed under Federal Rule of Civil Procedure 12.

21 **BASED ON THE FOREGOING, AND PURSUANT TO LOCAL CIVIL RULE 6- 1(b),**
22 **THE UNDERSIGNED PARTIES HEREBY STIPULATE AND AGREE:**

23 The schedule should be revised as follows for Plaintiffs and the Money Transfer Business
24 Defendants:

- 25 • Deadline to Respond to First Amended Complaint: February 24, 2023;
- 26 • Plaintiffs’ Deadline to Respond to Motion to Dismiss: April 7, 2023; and
- 27 • Defendants’ Reply in Support of Motion to Dismiss: April 21, 2023.

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SO STIPULATED.

Dated: January 25, 2023

By: /s/ Yaman Salahi

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Dated: January 25, 2023

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Christopher M. Butler
Jordan Rhodes

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1 Dated: January 25, 2023

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ORDER

Pursuant to the foregoing stipulation and Local Civil Rule 6-1(b), the Court **ORDERS** as follows:

- Money Transfer Business Defendants’ Deadline to Respond to First Amended Complaint: February 24, 2023;
- Plaintiffs’ Deadline to Respond to Motion to Dismiss: April 7, 2023; and
- Money Transfer Business Defendants’ Reply in Support of Motion to Dismiss: April 21, 2023;

IT IS SO ORDERED.

DATED: 1/26/2023


The Honorable Haywood S. Gilliam, Jr.