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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TAMARA LOHR and RAVIKIRAN SINDOGLI,  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC., and  
NISSAN MOTOR CO., LTD.,

Defendants.

Case No. C16-1023 RSM

**STIPULATED MOTION AND ORDER  
REGARDING CONTACT WITH  
PUTATIVE CLASS MEMBERS**

As contemplated by the Protective Order (Dkt. 54), and to implement a procedure for contacting absent putative class members that protects against putative class members being inappropriately influenced or subjected to harassment, the parties hereby stipulate to the following provisions regarding contact with absent putative class members by Plaintiffs’ counsel, Defendant Nissan North America, Inc.’s (“NNA”) counsel, and those acting on their behalf:

1. CONTACT PERMITTED BY BOTH SIDES

Plaintiffs’ Counsel, NNA’s Counsel, and those acting on their behalf shall be permitted to initiate informal oral communications with any putative class member who is not already represented by counsel, regardless of whether their identities are discovered through NNA’s records or otherwise, and regardless of whether they claim to have experienced a “shattering event” (as that term is used in

1 the Amended Complaint, Dkt. # 12) with a panoramic sunroof, if the procedures set forth below are  
2 followed.

3 2. SCRIPT TO BE READ TO PUTATIVE CLASS MEMBERS

4 Prior to speaking with putative class members, Plaintiffs' Counsel, NNA's Counsel, and  
5 their representatives shall read a "script," attached as Exhibit A, that will inform the individual:

- 6 a. That litigation has been commenced against NNA regarding panoramic sunroofs;  
7 b. That the caller is contacting the individual on behalf of [plaintiffs or NNA];  
8 c. That the individual does not have any obligation to speak with the caller;  
9 d. That the individual is free to end the conversation at any time; and  
10 e. [For putative class members whose contact information was gained through PII  
11 produced by NNA in this litigation:] that NNA was required to produce the  
12 individual's PII by Court order.

13 3. NO DISRUPTION OF BUSINESS OPERATIONS

14 This Order shall not prevent NNA or its dealers from acting in the normal course of their  
15 business or in any way alter NNA's normal continuing business operations. Nor shall this Order in  
16 any way limit NNA or NNA's counsel's ability to communicate with authorized NNA dealers or NNA  
17 employees and similar persons who are not exclusively customers of NNA.

18 4. APPLICABILITY TO OTHER ORDERS

19 The Protective Order (Dkt. # 54) is hereby amended to the extent necessary to allow  
20 putative class member contact as set forth herein.

21 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

22 RESPECTFULLY SUBMITTED AND DATED this 27<sup>th</sup> day of March 2018.

23  
24 TERRELL MARSHALL LAW  
GROUP PLLC  
Attorneys for Plaintiffs

SHOOK HARDY & BACON L.L.P.  
Attorneys for Defendant Nissan North America, Inc.

25  
26 By: /s/ Beth E. Terrell  
Beth E. Terrell, WSBA #26759  
Amanda M. Steiner, WSBA #29147  
27 Benjamin M. Drachler, WSBA #51021  
Terrell Marshall Law Group PLLC

By: /s/ Heather A. Hedeem  
Heather A. Hedeem, WSBA #50687  
SHOOK HARDY & BACON L.L.P.  
701 Fifth Avenue, Suite 6800  
Seattle, WA 98104  
Phone: 206-344-7606

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936 North 34th Street, Ste. 300  
Seattle, WA 98103-8869  
Phone: 206-816-6603  
Fax: 206-319-5450  
bterrell@terrellmarshall.com  
asteiner@terrellmarshall.com  
bdrachler@terrellmarshall.com

Gregory F. Coleman, Pro Hac Vice  
Mark E. Silvey, Pro Hac Vice  
Lisa A. White, Pro Hac Vice  
GREG COLEMAN LAW PC  
First Tennessee Plaza  
800 South Gay Street, Suite 1100  
Knoxville, TN, 37929  
Phone: 865-247-0080  
Fax: 865-522-0049  
greg@gregcolemanlaw.com  
mark@gregcolemanlaw.com  
adam@gregcolemanlaw.com

Charles J. Crueger, Pro Hac Vice  
Erin Dickinson, Pro Hac Vice  
CRUEGER DICKINSON LLC  
4532 N. Oakland Avenue  
Whitefish Bay, WI 53211  
Phone: 414-210-3868  
cjc@cruegerdickinson.com  
ekd@cruegerdickinson.com

Edward A. Wallace, Pro Hac Vice  
WEXLER WALLACE LLP  
55 Monroe Street, STE 3300  
Chicago, IL 60603  
Phone: 312-346-2222  
Fax: 312-346-0022  
Email: eaw@wexlerwallace.com

hhedeen@shb.com

Amir Nassihi, *Pro Hac Vice*  
Andrew L. Chang, *Pro Hac Vice*  
SHOOK HARDY & BACON L.L.P.  
One Montgomery, Suite 2700  
San Francisco, CA 94104  
Phone: 415-544-1900  
anassihi@shb.com  
achang@shb.com

Holly Pauling Smith, *Pro Hac Vice*  
William R. Sampson, *Pro Hac Vice*  
SHOOK HARDY & BACON L.L.P.  
2555 Grand Boulevard  
Kansas City, MO 64108  
Phone: 816-474-6550  
hpsmith@shb.com  
wsampson@shb.com

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED this 28<sup>th</sup> day of March 2018.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

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**EXHIBIT A: TELEPHONE SCRIPT**

Litigation has been commenced against Nissan in which plaintiffs allege claims concerning panoramic sunroofs in certain Nissan vehicles. I am contacting you on behalf of [plaintiffs/Nissan].

*[For customers contacted as a result of PII found in NNA's records:] Before we speak further, I am required to advise you that, as part of this litigation, Nissan has been required to provide plaintiffs' counsel with records kept by Nissan that concern information or complaints you provided to Nissan when you contacted Nissan's customer call center about your vehicle or when you brought your vehicle to an authorized Nissan dealership for service. Before providing these records to plaintiffs' counsel, Nissan removed identifying information to the extent permitted by the Court. However, Nissan was required to provide these records to plaintiffs' counsel without removing certain identifying information about you, including your name, address, and telephone number.*

I am also required to advise you that you do not have any obligation to speak with me and you have the right to end this conversation at any time.

Are you willing to speak with me concerning your Nissan vehicle?