

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TAMARA LOHR and RAVIKIRAN SINDOGI,
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

**STIPULATION AND ORDER TO EXTEND
CLASS CERTIFICATION DEADLINES TO
FACILITATE SETTLEMENT
DISCUSSIONS**

Plaintiffs Tamara Lohr and Ravikiran Sindogi (“Plaintiffs”) and Defendant Nissan North America, Inc. (“NNA”) (collectively, the “Parties”) enter into this stipulation with reference to the following facts and recitals:

WHEREAS, the Parties have worked diligently and amicably to resolve issues regarding the scope of discovery, production of electronically stored information, the terms of the Stipulated Protective Order, and the coordination of this matter with a companion case filed in the Northern District of California, *Sherida Johnson et. al. v. Nissan N. Am., Inc., et al.*, Case No. 3:17-cv-00517 (N.D. Cal. Filed Feb. 1, 2017).

1 WHEREAS, On June 16, 2017, the Court adopted its first scheduling order. (Dkt. 47). Two
2 extensions of the class certification briefing schedule have been entered in this matter. (*See* Dkt. 62,
3 68).

4 WHEREAS, the Parties have engaged in written discovery, document production, and third-
5 party discovery. Deposition scheduling also is currently underway. Plaintiffs wish to depose a
6 corporate representative from NNA's parent company, NML, which is located overseas and has
7 never been served in this case or in the *Johnson* case. The parties in *Johnson*, however, entered into
8 a stipulation that permits plaintiffs in that case to serve discovery requests directed to NML on
9 counsel for NNA, in exchange for extended response time obligations. *See* Dkt. 67, Exhibit A. The
10 Parties have further agreed that Plaintiffs in *Lohr* may access and use this NML discovery.

11 WHEREAS, to date, NML has responded to written discovery in *Johnson*, and the Parties are
12 in the process of scheduling a corporate deposition of NML. However, given the number of
13 depositions to be taken in addition to the corporate deposition of NML, Plaintiffs require additional
14 time to complete discovery in anticipation of class certification briefing and in anticipation of the
15 preparation of expert reports.

16 WHEREAS, in an attempt to resolve this dispute before costly and time-consuming fact and
17 expert discovery, the Parties conferred and have agreed to extend the deadlines in this case and in
18 *Johnson*, to facilitate resolution discussions. Parties are working on scheduling a mediation in this
19 case in early 2019.

20 WHEREAS, an extension of the deadlines in this matter, as reflected below, would facilitate
21 settlement discussions and will not be unduly prejudicial to either party.

22 WHEREAS, the Parties have coordinated with counsel in *Johnson* and are seeking entry of a
23 similar scheduling order. If this Court and the *Johnson* court approve these requests, then the two
24 cases will remain on parallel tracks if a resolution is not reached.

25 ///

26 ///

1 For these reasons, the Parties stipulate to extend the deadlines in this matter as set forth
2 below and respectfully request that the Court enter an order accordingly:

Event	Current Deadline	Proposed Deadline
Deadline to file Motion for Class Certification and serve Plaintiffs' expert disclosures and reports	January 15, 2019	June 14, 2019
Deadline for Plaintiffs to produce experts for deposition	February 26, 2019	July 26, 2019
Deadline to file opposition to Motion for Class Certification and serve NNA's expert disclosures and reports	April 2, 2019	September 4, 2019
Deadline for NNA to produce experts for deposition	April 23, 2019	September 23, 2019
Deadline to file reply regarding Motion for Class Certification	May 14, 2019	October 14, 2019

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STIPULATED TO AND DATED this 14th day of November, 2018.

TERRELL MARSHALL LAW
GROUP PLLC
Attorneys for Plaintiffs

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

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


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
hhedeem@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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PURSUANT TO STIPULATION, IT IS SO ORDERED this 16th day of November.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE