

1 Steve W. Berman (*pro hac vice*)
Thomas E. Loeser (SBN 202724)
2 Robert F. Lopez (*pro hac vice*)
HAGENS BERMAN SOBOL SHAPIRO LLP
3 1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
4 Telephone: (206) 623-7292
Facsimile: (206) 623-0594
5 steve@hbsslaw.com
toml@hbsslaw.com
6 robl@hbsslaw.com

PENELOPE A. PREOVOLOS (CA SBN 87607)
PPreovolos@mofo.com
CLAUDIA M. VETESI (CA SBN 233485)
CVetesi@mofo.com
LAUREN WROBLEWSKI (CA SBN 291019)
LWroblewski@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, CA 94105-2482
Telephone: 415.268.7000
Facsimile: 415.268.7522

7 Attorneys for Plaintiffs

SEAN GATES (CA SBN 186247)
SGates@charislex.com
CHARIS LEX P.C.
16 N. Marengo Avenue, Suite 300
Pasadena, CA 91101
Telephone: 626.508.1717
Facsimile: 626.508.1730

Attorneys for Defendant
TESLA, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 DEAN SHEIKH, JOHN KELNER, TOM
MILONE, DAURY LAMARCHE, DAN
17 WHELAN, and MICHAEL VERDOLIN, on
behalf of themselves and all others similarly
18 situated,

19 Plaintiffs,

20 v.

21 TESLA, INC. d/b/a TESLA MOTORS, INC., a
Delaware corporation,

22 Defendant.
23

Case No. 5:17-cv-02193-BLF

**STIPULATION AND
[PROPOSED] ORDER TO
CONTINUE STAY OF CASE**

1 Plaintiffs Dean Sheikh, John Kelner, Tom Milone, Daury Lamarche, and Michael
2 Verdolin (collectively “Plaintiffs”) and Defendant Tesla, Inc. (“Defendant”), through their
3 undersigned counsel, hereby stipulate as follows:

4 WHEREAS on April 10, 2018, the Court continued a stay of the case until May 24, 2018
5 to allow the parties time to complete discussions following a mediation and ordered the parties to
6 update the Court on that date.

7 WHEREAS the parties have reached a proposed class settlement in this matter. Plaintiffs
8 are prepared to file their motion for preliminary approval as soon as the Court is able to provide
9 them with a hearing date as separately requested.

10 THEREFORE, subject to the approval of the Court, the parties agree and stipulate as
11 follows: This matter shall be stayed pending completion of the settlement-approval process,
12 unless and until the Court should order otherwise. All deadlines, including Defendant’s deadline
13 to respond to Plaintiffs’ Second Amended Complaint, are vacated.

14
15 IT IS SO STIPULATED.
16
17
18
19
20
21
22
23
24
25
26
27
28

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

Dated: May 24, 2018

MORRISON & FOERSTER LLP

By: /s/ Penelope A. Preovolos
Penelope A. Preovolos

Attorneys for Defendant
TESLA, INC.

Dated: May 24, 2018

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Steve W. Berman
Steve W. Berman (*pro hac vice*)
Thomas E. Loeser (SBN 202724)
Robert F. Lopez (*pro hac vice*)

Attorneys for Plaintiffs

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

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(I)(3)

I, Steve W. Berman, am the ECF User whose identification and password are being used to file this Joint Status Report. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

Dated: May 24, 2018

By: s/ Steve W. Berman
Steve W. Berman

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

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that this matter shall be stayed pending completion of the settlement-approval process, unless and until the Court should order otherwise. All deadlines, including Defendant’s deadline to respond to Plaintiffs’ Second Amended Complaint, are vacated

Dated: _____, 2018

The Hon. Beth Labson Freeman
United States District Judge