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16 UNITED STATES DISTRICT COURT
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

19 DAVID RASMUSSEN, an individual, on
20 behalf of himself and all others similarly
21 situated

22 Plaintiffs,

23 v.

24 TESLA, INC., a Delaware corporation.

25 Defendant.

Case No.: 5:19-cv-04596-BLF

**STIPULATION AND [PROPOSED] ORDER TO
CONTINUE STAY PENDING MEDIATION**

1 Plaintiff David Rasmussen (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), through their
2 undersigned counsel, hereby stipulate as follows:

3 WHEREAS, on August 7, 2019, Plaintiff filed Class Action Complaint;

4 WHEREAS, the parties had a mediation on July 24, 2020 with the Hon. Daniel Weinstein and
5 Cathy Yanni of JAMS, Inc.;

6 WHEREAS, this Court previously continued the stay of this litigation to facilitate the parties’
7 continuing discussions (ECF No. 46);

8 WHEREAS, the parties are continuing their discussions in good faith and require additional time
9 to complete them;

10 WHEREAS, the parties desire to preserve the status quo and prevent the parties and the Court
11 from unnecessarily expending resources pending mediation;

12 THEREFORE, subject to the approval of the Court, the parties agree and stipulate as
13 follows: The parties will report to the Court with an update on July 16, 2021. This matter shall
14 be stayed until that date, and all other case deadlines shall be vacated.

15
16 IT IS SO STIPULATED.

17 Dated: June 30, 2021

Respectfully submitted,

18
19 By: /s/ Sean P. Gates
20 Sean P. Gates
21 CHARIS LEX P.C.
22 Attorneys for Defendant
TESLA, INC.

23 Dated: June 30, 2021

Respectfully submitted,

24
25 By: /s/ Nimish R. Desai
26 Nimish R. Desai
27 LIEFF CABRASER HEIMANN &
28 BERNSTEIN, LLP
Attorneys for Plaintiff
DAVID RASMUSSEN

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ECF ATTESTATION

I, Sean Gates, am the ECF User whose ID and password are being used to file the foregoing STIPULATION AND [PROPOSED] ORDER TO STAY CASE PENDING MEDIATION. In compliance with Local Rule 5-1, I hereby attest that Nimish Desai concurred in this filing.

Dated: June 30, 2021

By: /s/ Sean P. Gates
Sean P. Gates
CHARIS LEX P.C.
Attorneys for Defendant
TESLA, INC.

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that the parties will report to the Court with an update on July 16, 2021. This matter shall be stayed until that date, and all other case deadlines shall be vacated.

Dated:

Honorable Beth L. Freeman
Judge of the United States District Court