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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MDL 2672 CRB (JSC)

IN RE: VOLKSWAGEN “CLEAN
DIESEL” MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

**PRETRIAL ORDER NO. 10: ORDER
REGARDING MOTIONS TO REMAND**

This Order Relates to:

ALL ACTIONS (except securities fraud
actions)

Pursuant to Pretrial Order No. 8 [Dkt. No. 1087], the Court stayed all pending motions to remand and directed Plaintiffs’ Lead Counsel and Defendants’ Liaison Counsel to propose a schedule for filing, briefing and hearing of any motions to remand. Plaintiffs’ Lead Counsel has informed the Court that some or all of the motions to remand may involve factual issues requiring some discovery, as well as input from counsel representing the plaintiffs seeking remand and counsel representing certain non-Volkswagen defendants and/or third parties. Defendants’ Liaison Counsel has informed the Court that they are willing to meet and confer regarding the potential for discovery in connection with the motions to remand.

Accordingly, the Court adopts the following schedule:

1. All motions to remand shall continue to be stayed to allow Plaintiffs’ Lead Counsel, Defendants’ Liaison Counsel, counsel for plaintiffs seeking remand, counsel for defendant Solazyme, and counsel for defendant Amyris, Inc. to meet and confer concerning the scope of any discovery that may be required concerning the motions to remand, and to discuss the potential implications of that discovery upon general case management issues.

1 2. Within 21 days of this Order, Plaintiffs' Lead Counsel and Defendants' Liaison
2 Counsel shall provide the Court with an agreed-upon schedule for any discovery related to the
3 motions to remand and a filing and briefing schedule(s) for those motions. If agreement cannot
4 be reached, each party shall submit its own proposal with a memorandum (not to exceed five (5)
5 pages) explaining why the Court should adopt that party's particular proposal.

6 3. In the event any actions are subsequently transferred to this Court for coordinated
7 or consolidated pretrial proceedings and, prior to transfer, plaintiffs filed motions to remand, such
8 motions shall be stayed to allow Plaintiffs' Lead Counsel, Defendants' Liaison Counsel, counsel
9 for plaintiffs seeking remand, and any other relevant parties to meet and confer concerning the
10 matters described in paragraph (1) above. Within 21 days of transfer to this Court, Plaintiffs'
11 Lead Counsel and Defendants' Liaison Counsel shall provide the Court with an agreed-upon
12 schedule for any discovery related to the motions to remand and a filing and briefing schedule(s)
13 for those motions. If agreement cannot be reached, each party shall submit its own proposal with
14 a memorandum (not to exceed five (5) pages) explaining why the Court should adopt that party's
15 particular proposal.

16
17 **IT IS SO ORDERED.**

18 Dated: February 25, 2016



19 CHARLES R. BREYER
20 United States District Judge