

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  
NORTHERN DISTRICT OF CALIFORNIA

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

MDL No. 2672 CRB (JSC)

**PRETRIAL ORDER NO. 17: ORDER  
REGARDING MOTIONS TO REMAND**

This Order Relates to:

Hon. Charles R. Breyer

ALL ACTIONS (except securities actions).

WHEREAS, on March 18, 2016, the Court extended to March 31, 2016 the time periods set forth in Pretrial Order No. 10 for Plaintiffs’ Lead Counsel and Defendants’ Liaison Counsel to provide the Court with an agreed-upon schedule for discovery related to the motions to remand and briefing schedule(s) for those motions;

WHEREAS, a Case Management Conference was held on March 24, 2016 and a further Case Management Conference was set for April 21, 2016;

WHEREAS, actions continue to be removed to, or transferred to, this Court for coordinated or consolidated pretrial proceedings, which are or may be subject to potential motions to remand; and

WHEREAS, in the interest of judicial efficiency, motions to remand in this multidistrict litigation should be considered and addressed in a coordinated and orderly fashion once the issues implicated by the motions to remand have been fully raised (including in actions that have yet to be transferred to this Court).

NOW, THEREFORE, the Court hereby orders as follows:

(1) Beginning ninety (90) days after the entry of this Order, any plaintiff whose action has been transferred to, or removed to, this Court, and who desires to do so, may file a motion to

1 remand. Defendants' deadlines for responding to any filed motions to remand shall be agreed to  
2 by the parties or, absent agreement, as ordered by the Court.

3 (2) During this interim three-month period, the parties shall continue to meet and  
4 confer concerning the scope of any discovery that may be appropriate under the Federal Rules of  
5 Civil Procedure concerning the motions to remand and to engage in any such discovery. In the  
6 event of any discovery disputes, the parties shall follow the procedures set forth in Section 7 of  
7 Pretrial Order No. 9 [Dkt. No. 1252].

8 (3) Any previously filed motions to remand remain stayed pending further Order of  
9 the Court.

10 **IT IS SO ORDERED.**

11  
12 Dated: April 4, 2016



13  
14 CHARLES R. BREYER  
United States District Judge