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United States District Court
Northern District of California

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)

**AMENDED ORDER SCHEDULING
CASE MANAGEMENT CONFERENCE**

_____ /
This Order Relates To:

REMAINING CONSUMER ACTIONS
_____ /

The Court amends its prior Order scheduling a case management conference as follows:

The case management conference will take place on **Friday, May 10, 2019, at 11:00 a.m.**

Counsel shall file their Case Management Statement(s) by **Wednesday, May 1, 2019.**

Volkswagen shall file its list of member cases by **Wednesday, April 24, 2019.** Volkswagen may file a revised list of member cases, if necessary, by **Wednesday, May 1, 2019.**

* * *

Amended Order

The Court will hold a case management conference on **Friday, May 10, 2019, at 11:00 a.m.**, in Courtroom No. 6, 17th Floor, 450 Golden Gate Avenue, San Francisco, California.

Attendance is required by counsel for any consumer who still has a case pending in this MDL if that consumer either (A) opted out of the 2.0-liter class action settlement or the 3.0-liter class action settlement, or (B) did not come within the class definitions in those settlements and does not come within the proposed class definitions in *Nemet*, No. 3:17-cv-4372-CRB, or in the Audi CO₂ action. For the remainder of this Order, the Court refers to the cases by consumers who meet

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1 the above requirements as the “Remaining Consumer Actions.”¹

2 Counsel for consumers in the Remaining Consumer Actions who still have motions to
3 remand pending in this MDL must attend the case management conference unless the Court grants
4 the motions before the conference. Attendance is also required by counsel for Volkswagen and
5 counsel for any other defendant in the Remaining Consumer Actions. All counsel whose
6 attendance is required must appear in person. Telephonic appearances will not be permitted.

7 By **Wednesday, April 24, 2019**, Volkswagen shall provide the Court with a list of the
8 MDL member case numbers that it contends are associated with the Remaining Consumer
9 Actions. The list should also separately identify all member case numbers that Volkswagen
10 contends are associated with either *Nemet* or the Audi CO₂ action. Counsel for consumers whose
11 case numbers are not identified on Volkswagen’s list but who believe they come within the
12 definition of the Remaining Consumer Actions must (1) meet and confer with counsel for
13 Volkswagen and (2) still attend the case management conference. Volkswagen may file a revised
14 list, if necessary, on or before **Wednesday, May 1, 2019**.

15 Counsel in the Remaining Consumer Actions must prepare a Case Management Statement,
16 which must address all of the topics identified in the Standing Order for All Judges of the
17 Northern District of California. To the extent possible, a Joint Case Management Statement,
18 addressing all of the Remaining Consumer Actions, is preferred. Counsel must file their Case
19 Management Statement(s) by **Wednesday, May 1, 2019**.

20 **IT IS SO ORDERED.**

21 Dated: April 5, 2019



CHARLES R. BREYER
United States District Judge

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26 _____
27 ¹ If a case is still pending as of the date of this Order, but is terminated before Friday, May 10,
2019, it will not be considered one of the Remaining Consumer Actions.

28 Pro se plaintiffs in the Remaining Consumer Actions are permitted, but not required, to attend the case management conference.