I	Case 4:24-cv-03229-HSG	Document 49	Filed 12/16	6/24	Page 1 of 5	
1	COOLEY LLP MICHELLE C. DOOLIN (1794	145)				
2	MICHELLE C. DOOLIN (179445) (mdoolin@cooley.com) MEGAN L. DONOHUE (266147)					
3	(mdonohue@cooley.com) VIVIENNE A. PISMAROV (345611)					
4	(vpismarov@cooley.com)	+3011)				
5	10265 Science Center Drive San Diego, CA 92121-1117					
6	Telephone:(858) 550-6000Facsimile:(858) 550-6420					
7	MAXIMILIAN SLADEK DE L	LA CAL (324961)				
8	(msladekdelacal@cooley.com) 1333 2nd Street, Suite 400					
9	Santa Monica, CA 90401-4100 Telephone: (310) 883-6400					
10	Facsimile: (310) 883-6500					
11	Attorneys for Defendant VNGR BEVERAGE, LLC d/b/s	a POPPI				
12	UNITED STATES DISTRICT COURT					
13	NORTHERN DISTRICT OF CALIFORNIA					
14			Case No. 4:2	4 cv 03	2220 HSG	
15	In re VNGR BEVERAGE, LLC		CLASS ACT	ION		
16	LITIGATION		PROCEEDING			
17						
18	This Document Relates to: Case No. 4:24-cv-03612-HSG		Dept: (Courtro	om 2	
19	Case No. 4:24-cv-06666-HSG		_ 7 _ 7		laywood S. Gilliam, Jr.	
20						
21						
22						
23						
24						
25						
26						
27						
28						
COOLEY LLP Attorneys at Law San Diego					JOINT STIPULATION AND OR CASE NO. 4:24-CV-03229-H	

	0430 4.24 00 00223 1100 Document 45 Thick 12/10/24 Trage 2 010
1	Pursuant to Civil Local Rule 7-12, Plaintiffs Kristin Cobbs, Carol Lesh, Sarah Coleman,
2	and Megan Wheeler ("Plaintiffs") and Defendant VNGR Beverage, LLC d/b/a Poppi ("Defendant"
3	or "Poppi," and together with "Plaintiffs," the "Parties") hereby jointly stipulate and agree as
4	follows:
5	1. WHEREAS, the above consolidated action, <i>In re VNGR Beverage, LLC Litigation</i> ,
6	Case No. 4:24-cv-03229-HSG (ECF No. 1, the "Consolidated Action") is presently pending before
7	the Court;
8	2. WHEREAS, on August 20, 2024, Plaintiffs filed a Second Amended Consolidated
9	Complaint ("SAC") (ECF No. 35);
10	3. WHEREAS, on September 23, 2024, Poppi filed its Motion to Dismiss the SAC,
11	which was initially scheduled for a hearing before this Court on December 5, 2024 at 2:00 p.m.
12	(ECF No. 37);
13	4. WHEREAS, on October 21, 2024, the Court granted the Parties' Joint Stipulation
14	to Continue the Motion to Dismiss Hearing to December 19, 2024 at 2:00 p.m. (ECF No. 42);
15	5. WHEREAS, on December 4, 2024, the Parties attended a private mediation with the
16	Honorable Judge Jay C. Gandhi (Ret.) and subsequently have continued to discuss a potential
17	resolution of the Consolidated Action;
18	6. WHEREAS, on December 6, 2024, the Court vacated the December 19, 2024
19	hearing (ECF No. 47); and
20	7. WHEREAS, the Parties have reached a resolution in principle and agree that a stay
21	of sixty (60) calendar days would provide the Parties with additional time to finalize and execute a
22	formal class settlement agreement, as well as preserve judicial resources given Defendants' pending
23	Motion to Dismiss.
24	NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties
25	hereto, through their undersigned counsel, as follows:
26	1. The Consolidated Action is stayed for sixty (60) calendar days.
27	
28	
w	1 JOINT STIPULATION AND ORDER CASE NO. 4:24-CV-03229-HSG

1	2. This Stimulation shall not proclude a	a maximum the Doming from stimulating to on			
1	2. This Stipulation shall not preclude or prevent the Parties from stipulating to, or				
2	moving for, a court order lifting, modifying or extending the terms of this Stipulation upon a				
3	showing of good cause.				
4	3. The Parties are not waiving any rights, claims, or defenses of any kind except as				
5	expressly stated herein, and the Parties reserve the right to seek relief from the stay as circumstances				
6	may warrant, subject to the Court's approval.				
7	Dated: December 13, 2024 COOL	EY LLP			
8	/s/ Mick	helle C. Doolin			
9	MICHE	ELLE C. DOOLIN (179445)			
10	MEGAI	n@cooley.com) N L. DONOHUE (266147)			
11	VIVIEN	hue@cooley.com) NNE A. PISMAROV (345611)			
12	10265 S	brov@cooley.com) Science Center Drive			
13	Telepho				
14	Facsimi				
15	(mslade	/ILIAN SLADEK DE LA CAL (324961) kdelacal@cooley.com)			
16		nd Street, Suite 400 Ionica, CA 90401-4100			
17	Telepho Facsimi	one: (310) 883-4100 le: (310) 883-6500			
18	Attorne	ys for Defendant			
19	VNGR	BEVERAGE, LLC d/b/a POPPI			
20	Dated: December 13, 2024 BURSC	DR & FISHER, P.A.			
21	/s/ L. Ti	imothy Fisher			
22	L. Time	abursor.com			
23	Joshua	B. Glatt (State Bar No. 354064)			
24	1990 N	bursor.com orth California Blvd., Suite 940 Creek, CA 94596			
25	Telepho	one: (925) 300-4455 ile: (925) 407-2700			
26					
27	Co-lead	l Interim Class Counsel			
28					
COOLEY LLP					
Attorneys at Law San Diego	2	JOINT STIPULATION AND [PROPOSED] ORDER CASE NO. 4:24-CV-03229-HSG			

1	Case 4:24-cv-03229-HSG	Document 49	Filed 12/16/24	Page 4 of 5			
1	ATTES	TION OF CONC	URRENCE IN FI	LING			
2	Pursuant to the United States District Court for the Northern District of California, Civil						
3	L.R. 5-1(i), I, Michelle C. Doolin, hereby attests that the concurrence to the filing of the foregoing						
4	document has been obtained from the signatories.						
5	Dated: December 13, 2024	CO	OLEY LLP				
6							
7		MIC	<u>Aichelle C. Doolin</u> HELLE C. DOOLI	N (179445)			
8		(mdo MEQ	colin@cooley.com) GAN L. DONOHUI	E (266147)			
9		(mdo VIV	onohue@cooley.cor IENNE A. PISMA	n) ROV (345611)			
10		1026	smarov@cooley.cor 55 Science Center D	rive			
11		Tele	Diego, CA 92121-1 phone: (858) 550 imile: (858) 550	-6000			
12			× ,	-6420 2K DE LA CAL (324961)			
13		(msl	adekdelacal@coole 3 2nd Street, Suite 4	y.com)			
14		Sant	a Monica, CA 9040 phone: (310) 883	1-4100			
15			imile: (310) 883				
16		Atto	rneys for Defendan	t			
17		VNO	GR BEVERAGE, L	LC d/b/a POPPI			
18							
19							
20							
21							
22 23							
23 24							
25							
23 26							
20							
28							
COOLEY LLP Attorneys at Law San Diego		3	i	JOINT STIPULATION AND ORDER CASE NO. 4:24-CV-03229-HSG			

	Case 4:24-cv-03229-HSG Document 49 Filed 12/16/24 Page 5 of 5					
1	ORDER					
2	PURSUANT TO STIPULATION, IT IS SO ORDERED. The Court, having considered the					
3	parties' Joint Stipulation to Stay Proceedings, pursuant to Civil Local Rule 7-12, the Court hereby					
4	grants a stay of sixty (60) calendar days of this Consolidated Action.					
5						
6	Dated: 12/16/2024 By: Haywood S. Jul					
7	Judge Maywood S. Gilliam, Jr.					
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23 24						
24						
23 26						
20						
27						
COOLEY LLP Attorneys at Law San Diego	4 JOINT STIPULATION AND ORDER CASE NO. 4:24-CV-03229-HSG					