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12	UNITED STATES DISTRICT COURT					
13	NORTHERN DISTRICT OF CALIFORNIA					
14						
15	In re VNGR BEVERAGE, LLC		Case No. 4:24	4-cv-03229-	·HSG	
16	LITIGATION		CLASS ACT	ION		
17			JOINT STIPU	LATION TO S	STAY PROCEEDINGS	
18	This Document Relates to: Case No. 4:24-cv-03612-HSG			Courtroom 2 udge Haywo	ood S. Gilliam, Jr.	
19	Case No. 4:24-cv-06666-HSG		8		· · · · · · · · · · · · · · · · · · ·	
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ATTORNEYS AT LAW SAN DIEGO			JOIN	T STIPULATIC CAS	on and [Proposed] Order Se No. 4:24-cv-03229-HSG	

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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, In re VNGR Beverage, LLC Litigation,
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.
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w	1 JOINT STIPULATION AND [PROPOSED] ORDER CASE NO. 4:24-CV-03229-HSG

1	2. This Stimulation shall not much have a more the Dentice from stimulation					
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, 2024COOLEY LLP					
8	/s/ Michelle C. Doolin					
9	MICHELLE C. DOOLIN (179445)					
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18	Attorneys for Defendant					
19	VNGR BEVERAGE, LLC d/b/a POPPI					
20	Dated: December 13, 2024BURSOR & FISHER, P.A.					
21	/s/ L. Timothy Fisher					
22	L. Timothy Fisher (State Bar No. 191626)	—				
23	ltfisher@bursor.com Joshua B. Glatt (State Bar No. 354064)					
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26	Facsimile: (925) 407-2700					
20	Co-lead Interim Class Counsel					
27						
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ATTORNEYS AT LAW SAN DIEGO	2 JOINT STIPULATION AND [PROPOSED] CASE NO. 4:24-CV-0322					

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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	COO	OLEY LLP				
6							
7		MIC	<u>Aichelle C. Doolin</u> HELLE C. DOOLI				
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16		Atto	rneys for Defendan	t			
17		VNO	GR BEVERAGE, L	LC d/b/a POPPI			
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COOLEY LLP Attorneys at Law San Diego		3	JOINT STIP	ULATION AND [PROPOSED] ORDER CASE NO. 4:24-CV-03229-HSG			

1	Case 4:24-cv-03229-HSG Document 48 Filed 12/13/24 Page 5 of 5							
1	[PROPOSED] 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:, 2024 By:							
7	Dated:, 2024 By: Judge Haywood S. Gilliam, Jr.							
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