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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

In Re: KIA HYUNDAI VEHICLE
THEFT MARKETING, SALES
PRACTICES, AND PRODUCTS
LIABILITY LITIGATION

Case No.: 8:22-ML-3052 JVS(KESx)

ORDER NO. 6:
FOREIGN DISCOVERY (AND
STIPULATION RE SAME)

This document relates to:

ALL CASES

1 **JOINT STIPULATION RE FOREIGN DISCOVERY**

2 Counsel for Plaintiffs and Counsel for Defendants Hyundai Motor America
3 (“HMA”), Kia America, Inc. (“KA”), and Hyundai America Technical Center, Inc.
4 (“HATCI”) (collectively, “Defendants”) (together with Plaintiffs, the “Parties”) hereby
5 stipulate and agree to the following terms regarding service of Plaintiffs’ forthcoming
6 Consolidated Class Action Complaint and any consolidated complaint filed in the above-
7 referenced action on behalf of the governmental entities on Hyundai Motor Company
8 (“HMC”) and Kia Corporation (“KC”) and potential discovery from HMC and KC:

9 1. HMC and KC dispute that they have either been made proper defendants or
10 have been properly served in any action that is part of this Multi District Litigation, but
11 in lieu of litigating those issues, counsel for HMA and KA agree to accept service on
12 behalf of HMC and KC of the Consolidated Class Action Complaint and any
13 consolidated complaint filed in the above-referenced action on behalf of the
14 governmental entities, and HMC and KC agree to waive the formalities of service under
15 the Hague Service Convention in the above-captioned litigation expressly conditioned
16 upon the terms stated below. Service on behalf of HMC and KC is accepted in the above-
17 referenced action as of the date of the filing of any consolidated complaint(s).

18 2. The Parties agree that, in the interests of judicial economy and orderly
19 management of the action, a schedule should be established with respect to any discovery
20 propounded by Plaintiffs.

21 3. KC and HMC shall have an additional sixty (60) days to that permitted under
22 the Federal Rules of Civil Procedure (*i.e.*, a total of ninety (90) days) to serve Plaintiffs
23 with objections and/or responses to all written discovery requests propounded by
24 Plaintiffs in this action.

25 4. Domestic entities KA, HMA, and HATCI shall have an additional thirty (30)
26 days to that permitted under the Federal Rules of Civil Procedure (*i.e.*, a total of sixty
27 (60) days) to serve Plaintiffs with objections and/or responses to all discovery requests
28 propounded by Plaintiffs in this action.

1 5. Plaintiffs will provide at least ninety (90) days written notice for any
2 deposition of HMC or KC personnel and at least forty five (45) days written notice for
3 any deposition of KA, HMA, or HATCI personnel. Plaintiffs will coordinate a date that
4 is convenient for all attorneys, Defendants, and witnesses, giving due consideration to
5 any restrictions and limitations imposed in response to the COVID-19 pandemic.

6 6. Any deposition of HMC or KC personnel located in the Republic of Korea
7 for this action will proceed in Seoul, Republic of Korea, or by videoconference during
8 normal business hours in the Republic of Korea with the witness and their counsel
9 permitted to appear in the Republic of Korea, giving due consideration to any restrictions
10 and limitations imposed in response to the COVID-19 pandemic. Plaintiffs may proceed
11 to conduct the deposition by videoconference at their discretion. The court reporter may
12 be located within the United States and the oath may be administered remotely via video
13 link.

14 7. If any notarization is required for any discovery response, a formal
15 notarization is not required. In lieu, the discovery response can be signed in compliance
16 with 28 U.S.C. § 1746.

17 8. This agreement is limited to the above-captioned litigation.

18 9. Defendants do not waive the right to assert objections to discovery
19 propounded on them, and expressly reserve the right to oppose, or seek relief in
20 connection with, any discovery requests served on them.

21 WHEREFORE, the Parties respectfully request that the Court enter this
22 Stipulation as an Order of the Court.

23
24 **IT IS SO STIPULATED AND AGREED.**
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1 Dated: April 5, 2023

Respectfully Submitted.

2
3 By: /s/ Steve W. Berman

4 Steve W. Berman, Esq.
5 HAGENS BERMAN SOBOL SHAPIRO LLP
6 1301 Second Avenue, Suite 2000
7 Seattle, WA 98101

8 By: /s/ Elizabeth A. Fegan

9 Elizabeth A. Fegan, Esq.
10 FEGAN SCOTT LLC
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13 By: /s/ Kenneth B. McClain

14 Kenneth B. McClain, Esq.
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18 By: /s/ Roland Tellis

19 Roland Tellis, Esq.
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*Consumer Class Action Leadership Counsel and
Counsel for Plaintiffs*

23
24 By: /s/ Gretchen Freeman Cappio

25 Gretchen Freeman Cappio
26 KELLER ROHRBACK L.L.P.
27 1201 Third Avenue, Suite 3200
28 Seattle, WA 98101

*Plaintiffs' Governmental Entities
Committee Chair*

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By: /s/ Peter J. Brennan
Peter J. Brennan, Esq.
JENNER & BLOCK LLP
353 North Clark Street
Chicago, IL 60654-3456

Counsel for Defendants

ORDER

Good cause appearing, the Court hereby approves this Joint Stipulation re Foreign
Discovery.

IT IS SO ORDERED.

Dated: April 10, 2023



The Honorable James V. Selna
United States District Judge

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1 **SIGNATURE ATTESTATION**

2 Pursuant to Local Rule 5-4.3.4(a)(2)(i), I, Peter J. Brennan, hereby attest that Steve
3 W. Berman, Elizabeth A. Fegan, Kenneth B. McClain, Roland Tellis, and Gretchen
4 Freeman Cappio, on whose behalf this filing is also submitted, have concurred in the
5 content of this Joint Stipulation re Foreign Discovery and have authorized its filing.
6

7 Dated: April 5, 2023.

Respectfully Submitted.

8
9 By: /s/ Peter J. Brennan

10 Peter J. Brennan, Esq.
11 JENNER & BLOCK LLP
12 353 North Clark Street
13 Chicago, IL 60654-3456

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Counsel for Defendants