on Toyota's pending stay application, Toyota brings this second *ex parte*, in an abundance of caution, to preserve its rights to move to dismiss certain claims in the First Amended Complaint. Because Toyota's responsive pleading is due tomorrow, Toyota respectfully requests that the Court rule on either it stay application or the instant request for extension as soon as possible. In the event that the Court declines to completely stay these proceedings, a 60 day extension, or such shorter time as the Court deems appropriate, will allow the Court to hear and determine the remand issue before the parties expend significant resources brining and opposing motions to dismiss that could become moot.

II. ARGUMENT

It is "incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). The Judicial Manual for Complex Litigation, Second Edition, further confirms the Court's power to sua sponte extend the time to file responsive pleadings in complex matters such as this case, even beyond the initial scheduling conference. *See* Section 21.13. The requested stay will best serve these policies because it will allow the parties and the Court to focus on the remand issue before motions to dismiss are addressed, in the event that the Court declines to stay this matter altogether. Addressing the remand issue first is the best use of the Court and the parties' resources because it will prevent the expenditure of resources on motions to dismiss that will become moot if the case is remanded to state court.

Moreover, plaintiffs have stated they do not oppose the requested extension and no prejudice will result from granting Toyota's request. (Gilford Decl., ¶ 12.) This case was just filed a little over one month ago, so it is still in its infancy, and no scheduling order has yet issued. (*Id.*) Finally, Toyota has not previously requested any extensions of time to file its responsive pleading. (*Id.*) As a result, good cause