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5 Attorney for Defendants JONATHAN HUNEAULT and NNEKA Ohiri

6 **UNITED STATES DISTRICT COURT**  
7 **NORTHERN DISTRICT OF CALIFORNIA**  
8 **SAN JOSE DIVISION**

9  
10 CHRISTOPHER J CORDOVA

11 Plaintiff,

12 vs.

13 JONATHAN HUNEAULT, NNEKA  
14 OHIRI,

15 Defendants.  
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No. 5:25-cv-04685-VKD

Honorable Judge: Virginia K.  
DeMarchi

**STIPULATION AND ~~PROPOSED~~  
ORDER**

Re: Dkt. No. 35

**MODIFIED BY THE COURT**

1 ***TO: THE COURT, ALL PARTIES AND TO THEIR ATTORNEYS OF***  
2 ***RECORD:***

3 PLEASE TAKE NOTICE that on October 13, 2025, Defendant Jonathan  
4 Hudon-Huneault filed a Motion to Dismiss in this matter (ECF No. 29). However,  
5 Defendants' counsel was not aware that Nneka Ohiri was also named as a  
6 Defendant. Thus, the Motion to Dismiss did not respond on her behalf.

7 On October 14, 2025, Plaintiff filed a default against Defendant Nneka Ohiri  
8 (ECF No. 30). Counsel for the parties met and conferred in good faith about this  
9 honest mistake and agreed to set-aside the default as to Nneka Ohiri.

10 Thereafter, on October 14, 2025, Defendants filed a corrected Motion to  
11 Dismiss on behalf of both Defendants (ECF No. 33).

12 Accordingly, the parties have stipulated and agreed to the following:

- 13 1. Defendant, Jonathan Hudon-Huneault's October 13, 2025 Motion to  
14 Dismiss (ECF No. 29) is withdrawn;
- 15 2. The November 18, 2025 hearing on Defendants' October 14, 2025  
16 Motion to Dismiss (ECF No. 33) is vacated;
- 17 3. Plaintiff agrees to that the default entered against Nneka Ohiri (ECF  
18 No. 30) shall be set aside;
- 19 4. Plaintiff shall file a First Amended Complaint on or before November  
20 3, 2025;
- 21 5. Defendants' counsel agrees to accept service of the First Amended  
22 Complaint on behalf of 14693663 Canada Inc. via ECF when filed;
- 23 6. Defendants' shall file a response to Plaintiff's First Amended  
24 Complaint on or before November 24, 2025,
- 25 7. If Defendants' file a Motion to Dismiss in response to Plaintiff's First  
26 Amended Complaint, Plaintiff shall have 21 days thereafter to file any  
27 Opposition;

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- 8. Defendants shall have 14 days thereafter to file any Reply in Further Support of its Motion to Dismiss;
- 9. Defendants shall notice any hearing date on the Motion to Dismiss consistent with the above schedule and the Court’s availability.

**SO AGREED AND STIPULATED**

DATED: October 15, 2025 THE LAW OFFICES OF STEVEN C. VONDRAN

By: /s/ Steven C. Vondran, Esq.  
Steven C. Vondran, Attorney for Defendants

DATED: October 15, 2025 Randall Newman, Esq.

By: /s/ Randall Newman, Esq.  
Randall Newman, Attorney for Plaintiff

SO ORDERED: **AS MODIFIED BY THE COURT**

**In view of the parties’ stipulation that plaintiff shall file a first amended complaint on or before November 3, 2025, defendants’ October 14, 2025 motion to dismiss (Dkt. No. 33) is terminated as moot.**

Dated: October 16, 2025 Virginia K. DeMarchi  
Hon. Virginia K. DeMarchi, U.S. Magistrate Judge

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**FILER’S ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of the foregoing has been obtained from all other signatories to this documents.

DATED: October 15, 2025            THE LAW OFFICES OF STEVEN C. VONDRAN

By: /s/ Steven C. Vondran, Esq.  
Steven C. Vondran, Attorney for Defendants