SARAH WILLIAMS
SEAN Z. SAPER
JOHN F. SCHIFALACQUA
Trial Attorneys
Consumer Protection Branch
Civil Division, United States Department of Justice
450 5th Street, NW, Suite 6400-South
Washington, D.C. 20001
Telephone: (202) 616-4269
sarah.williams@usdoj.gov

Attorneys for the United States

JAMES M. PEARL (SB# 198481)
jamespearl@paulhastings.com
PAUL HASTINGS LLP
1999 Avenue of the Stars, 27th Floor
Los Angeles, CA 90067
Telephone: (310) 620-5700
Facsimile: (310) 620-5899

Attorneys for Defendants
Dave Inc. and Jason Wilk

Additional Counsel in Signature Block

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVE, INC., a Delaware corporation, and JASON WILK, an individual

Defendants.

Case No. 2:24-cv-09566-MRA (AGRx)

STIPULATION FOR FIRST CONTINUANCE OF HEARING DATE AND BRIEFING SCHEDULE FOR DEFENDANTS' MOTION TO DISMISS THE AMENDED COMPLAINT

Current hearing date: April 28, 2025

Requested hearing date: May 5, 2025

Plaintiff United States and Defendants Dave Inc. ("Dave") and Jason Wilk ("Wilk") hereby stipulate and respectfully request as follows:

WHEREAS, on February 28, 2025, Defendants filed their combined Motion to Dismiss the Amended Complaint (the "Motion to Dismiss") in this case and requested a hearing date of April 28, 2025;

WHEREAS, Defendants and Plaintiff United States met and conferred on March 11, 2025 via videoconference regarding the hearing date and briefing schedule;

WHEREAS, Defendants and Plaintiff on March 18, 2025 agreed to continue the April 28, 2025 hearing date to May 5, 2025 to allow Defendants extra time to prepare their reply and, in the interest of judicial economy, that Defendants may file a combined reply of up to 14,000 words;

WHEREAS, good cause exists for this request. Modifying the briefing schedule will allow both parties the opportunity to prepare their arguments, and allowing Defendants to file a combined reply brief will allow the parties to minimize the number of filings and for an orderly and efficient resolution of the Defendants' Motions to Dismiss.

WHEREAS, the Parties have not previously requested and extension or continuance.

NOW THEREFORE, the Parties stipulate and agree that:

1. The hearing date for the Motion to Dismiss is May 5, 2025 at 1:30 pm.
2. The date by which Plaintiffs shall file their response to the Motion to Dismiss is April 7, 2025.
3. The date by which Defendants shall file a combined reply brief is April 21, 2025.
4. Defendants' combined reply brief shall not exceed 14,000 words.

Dated March 21, 2025

Respectfully submitted.

By: */s/ James M. Pearl*

JAMES M. PEARL (SB# 198481)
jamespearl@paulhastings.com
Paul Hastings LLP
1999 Avenue of the Stars, 27th Floor
Los Angeles, CA 90067
Telephone: (310) 620-5700
Facsimile: (310) 620-5899

ALLYSON B. BAKER
(*admitted pro hac vice*)
allysonbaker@paulhastings.com
MEREDITH L. BOYLAN
(*admitted pro hac vice*)
meredithboylan@paulhastings.com
PAUL HASTINGS LLP
2050 M Street, NW
Washington, DC 20036
Telephone: (202) 551-1700
Facsimile: (202) 551-1705

THOMAS P. BROWN (SB# 182916)
tombrown-externaladvisor@paulhastings.com
DEREK E. WETMORE (SB# 291600)
derekwetmore@paulhastings.com
PAUL HASTINGS LLP
101 California Street, 48th Floor
San Francisco, CA 94111
Telephone: (415) 856-7000
Facsimile: (415) 856-7100

MARGARET SHIELDS
(*admitted pro hac vice*)
margaretshields@paulhastings.com
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 318-6334
Facsimile: (212) 319 4090

CHRIS NAPIER *(pro hac vice)*
cnapier@mitchellsandler.com
SHELBY SCHWARTZ *(pro hac vice)*
sschwartz@mitchellsandler.com

MITCHELL SANDLER PLLC
2020 K Street, NW, Suite 760
Washington, DC 20036
Telephone: 202-886-5260

Attorneys for Defendants
Dave Inc. and Jason Wilk

By: */s/ Sarah Williams*

YAAKOV M. ROTH
Acting Assistant Attorney General,
Civil Division
MICHAEL D. GRANSTON
Deputy Assistant Attorney General
AMANDA N. LISKAMM
Director, Consumer Protection
Branch
LISA K. HSIAO
Senior Deputy Director, Civil
Litigation
ZACHARY A. DIETERT
Assistant Director
SARAH WILLIAMS
Senior Trial Attorney
SEAN Z. SAPER
JOHN F. SCHIFALACQUA
Trial Attorneys
Consumer Protection Branch
Civil Division, United States
Department of Justice
450 5th Street, NW, Suite 6400-South
Washington, D.C. 20001
Phone: (202) 616-4269 (Williams)
Phone: 202-742-7116 (Saper)
Phone: 202-598-8153 (Schifalacqua)
sarah.williams@usdoj.gov
sean.z.saper@usdoj.gov
john.f.schifalacqua@usdoj.gov

Attorneys for the United States

DANIEL O. HANKS (*pro hac vice*)
dhanks@ftc.gov; 202-326-2472
JASON SANDERS (*pro hac vice*)
jsanders1@ftc.gov; 202-326-2357
JULIA E. HEALD (pro hac vice)
jheald@ftc.gov; 202-326-3589
Federal Trade Commission
600 Pennsylvania Ave NW
Washington, DC 20580

DAVID HANKIN, SBN 319825

dhankin@ftc.gov; 202-227-1521
Federal Trade Commission
10990 Wilshire Blvd., Suite 400
Los Angeles, CA 90024

Attorneys for the Federal Trade Commission

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Local Rule 5-4.3.4(a)(2), I, James Pearl, hereby attest that all signatories listed above, and on whose behalf this filing is submitted, concur in the filing's content and have authorized the filing.