

F:\MMM\PLDG\1693-625.po-stay.docx

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**DANIELS, FINE, ISRAEL,
SCHONBUCH & LEBOVITS, LLP**
MAUREEN M. MICHAEL, ESQ. (SBN 185097)
1801 Century Park East, 9th Floor
Los Angeles, CA 90067
310-556-7900 Telephone
Michail@dfis-law.com

JS-6

**BENESCH, FRIEDLANDER,
COPLAN & ARONOFF, LLP**
DAVID M. KRUEGER (0085072)
200 Public Square, Suite 2300
Cleveland, OH 44114-2378
216-363-4500 Telephone
dkrueger@beneschlaw.com
Attorneys for Defendant USAA Savings Bank

WESTGATE LAW
Matthew A. Rosenthal (SBN 279334)
15760 Ventura Blvd, Suite 880
Los Angeles, CA 91436
818-200-1497 Telephone
matt@westgatelaw.com
Attorneys for Plaintiff Tyto Hernandez

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

TYTO HERNANDEZ,

Plaintiff,

vs.

USAA SAVINGS BANK,

Defendant.

CASE NO. 2:17-cv-02170-FMO-E

~~PROPOSED~~ ORDER GRANTING
JOINT STIPULATION TO STAY
PROCEEDINGS

DANIELS, FINE, ISRAEL & SCHONBUCH, LLP
1801 CENTURY PARK EAST, NINTH FLOOR
LOS ANGELES, CALIFORNIA 90067
TELEPHONE (310) 556-7900
FACSIMILE (310) 556-2807

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Pursuant to the Stipulation of the parties, and upon good cause shown, the Court
GRANTS the Joint Stipulation to Stay Proceedings pending the United States Court of
Appeals for the D.C. Circuit's decision in *ACA Int'l v. FCC*, Appeal No. 15-1211 (D.D.
Circuit) (filed on Oct. 13, 2015).

Defendant shall confer with Plaintiff and file a status report advising the Court of
the outcome of the decision from the United States Court of Appeals for the D.C. Circuit in
ACA Int'l within 14 days from the date of the decision. The status report shall include the
parties' position as to how this Court should proceed. All dates on the Court's calendar are
hereby vacated and will be reset as necessary. The Clerk shall administratively close the
case until further order of the court.

IT IS SO ORDERED.

Date: May 22, 2017

/s/
Hon. Fernando M. Olguin
United States District Judge

PROOF OF SERVICE

1 State of California)
2 County of Los Angeles)

3 I am a resident of the State of California, over the age of eighteen years, and not a party to
4 the within action. My business address is 1801 Century Park East, Ninth Floor, Los
5 Angeles, California 90067. On May 18, 2017, I served the within document(s):

**[PROPOSED] ORDER GRANTING JOINT STIPULATION TO STAY
6 PROCEEDINGS**

7 by placing a true copy thereof in sealed envelopes as stated on the attached mailing list.

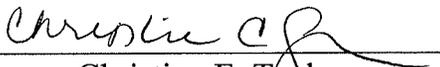
8 **BY PERSONAL SERVICE** I caused personal delivery by ATTORNEY
9 SERVICE of said document(s) to the offices of the addressee(s) as set forth on
10 the attached mailing list.

11 **BY OVERNIGHT DELIVERY SERVICE** I caused such envelope to be
12 deposited with an overnight delivery service (Overnite Express/Federal Express)
13 for delivery the next court day, or at most, within two court days of the above
14 date.

15 **BY E-MAIL OR ELECTRONIC TRANSMISSION.** Pursuant to the Local
16 Rules of the U.S. District Court, Central District of California, Local Rule 6-1,
17 all documents shall be served on each of the parties electronically, unless
18 excepted from electronic filing. Based on a court order or an agreement of the
19 parties to accept service by e-mail or electronic transmission, I caused the
20 documents to be sent to the persons at the e-mail addresses listed on the service
21 list. I did not receive, within a reasonable time after the transmission, any
22 electronic message or other indication that the transmission was unsuccessful.

23 (Federal) I declare that I am employed in the office of a member of the bar of
24 this court at whose direction the service was made.

25 Executed on May 18, 2017, at Los Angeles, California.


Christine E. Tucker

SERVICE LIST

1 Matthew A. Rosenthal, Esq.
2 Westgate Law
3 15760 Ventura Boulevard
4 Suite 880
5 Los Angeles, California 91436
6 Tel.: (818) 200-1497
7 Email: matt@westgatelaw.com
8 ***Attorneys for Plaintiff TYTO HERNANDEZ***

6 Courtesy Copy

7 David M. Krueger, Esq.
8 Benesch, Friedlander,
9 Coplan & Aronoff, LLP
10 200 Public Square
11 Suite 2300
12 Cleveland, Ohio 44114-2378
13 Tel.: (216) 363-4500
14 dkrueger@beneschlaw.com

15 1693-625