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HSBC USA, INC., HSBC BANK USA, N.A., HSBC MORTGAGE
CORPORATION, and HSBC REINSURANCE (USA) INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO BRANCH

LUCAS E. MCCARN, individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

HSBC USA, INC., HSBC BANK USA, N.A.,
HSBC MORTGAGE CORPORATION, HSBC
REINSURANCE (USA) INC., UNITED
GUARANTY RESIDENTIAL INSURANCE
CO., PMI MORTGAGE INSURANCE CO.,
GENWORTH MORTGAGE INSURANCE
CORP., REPUBLIC MORTGAGE
INSURANCE CO., MORTGAGE
GUARANTY INSURANCE CORP., and
RADIAN GUARANTY INC.

Defendants.

Civil Action No.: 1:12-cv-00375-LJO-SKO

[Assigned to the Hon. Lawrence J. O'Neill]

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
COMPLAINT**

1 WHEREAS, on March 12, 2012, plaintiff Lucas E. McCarn ("Plaintiff") filed a Class
2 Action Complaint (the "Complaint") against defendants HSBC USA, Inc. ("HSBC USA"), HSBC
3 Bank USA, N.A. ("HSBC Bank"), HSBC Mortgage Corporation ("HSBC Mortgage"), HSBC
4 Reinsurance (USA) Inc. ("HSBC Re," and collectively, HSBC USA, HSBC Bank, HSBC
5 Mortgage, and HSBC Re are referred to herein as the "HSBC Defendants"), United Guaranty
6 Residential Insurance Co., PMI Mortgage Insurance Co., Genworth Mortgage Insurance Corp.,
7 Republic Mortgage Insurance Co., Mortgage Guaranty Insurance Corp., and Radian Guaranty Inc.;

8 WHEREAS, on or about March 19, 2012, Plaintiff served HSBC USA with the Summons
9 and Complaint;

10 WHEREAS, on or about March 19, 2012, Plaintiff served HSBC Bank with the Summons
11 and Complaint;

12 WHEREAS, on or about March 19, 2012, Plaintiff served HSBC Mortgage with the
13 Summons and Complaint;

14 WHEREAS, on or about March 20, 2012, Plaintiff served HSBC Re with the Summons and
15 Complaint;

16 WHEREAS, on or about April 3, 2012, Plaintiff filed a Notice of Motion and Motion to
17 Stay Action (the "Motion to Stay");

18 WHEREAS, on or about April 9, 2012, Plaintiff and the HSBC Defendants agreed to
19 extend the deadline for the HSBC Defendants to answer or otherwise respond to the Complaint to
20 30 days after the Court's order on the Motion to Stay;

21 WHEREAS, on April 12, 2012, the Court granted the Motion to Stay and ordered that all
22 responses to the Complaint not currently filed shall be due 45 days after the Court issues an order
23 lifting the stay;

24 WHEREAS, on July 9, 2012, the Court lifted the stay;

25 WHEREAS, on July 30, 2012, Plaintiff filed a First Amended Complaint (the "FAC");

26 WHEREAS, the HSBC Defendants answer to the FAC is due on August 23, 2012; and

27 WHEREAS, Plaintiff has agreed to extend the time for the HSBC Defendants to answer or
28 otherwise respond to the FAC to and including October 5, 2012.

1 IT IS HEREBY STIPULATED by and between Plaintiff and the HSBC Defendants,
2 through their respective counsel of record, that the HSBC Defendants' time to answer or otherwise
3 respond to the FAC is extended to and including October 5, 2012.

4 Dated: August 15, 2012

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8 By: /s/ Shannon E. Ponek
Shannon E. Ponek

9
10 Attorneys for Defendants
HSBC USA, INC., HSBC BANK USA, N.A.,
11 HSBC MORTGAGE CORPORATION, and
HSBC REINSURANCE (USA) INC.

12
13 Dated: August 15, 2012

KESSLER TOPAZ MELTZER & CHECK, LLP

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15 By: /s/ Edward W. Ciolko
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24 [continued on next page]

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12 Attorneys for Plaintiff and the Proposed
13 Class

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IT IS SO ORDERED.

Dated: August 16, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE