

1 JOHN COX, CASB No. 197687
JESSICA LUHRS, CASB No. 284846
2 KEESAL, YOUNG & LOGAN
A Professional Corporation
3 450 Pacific Avenue
San Francisco, California 94133
4 Telephone: (415) 398-6000
Facsimile: (415) 981-0136

5 Attorneys for Defendant
6 JP MORGAN CHASE BANK, N.A.

7
8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10
11 RICHARD ST. CLAIR,) Case No. 1:13-CV-01317-AWI-BAM
)
12 Plaintiff,) **STIPULATION AND ORDER TO**
) **CONTINUE INITIAL SCHEDULING**
13 vs.) **CONFERENCE**
)
14 JP MORGAN CHASE BANK, N.A.,) Barbara A. McAuliffe
MORTGAGE ELECTRONIC REGISTRATION) U.S. Magistrate Judge
15 SYSTEMS, INC. AND U.S. BANK, N.A. AS)
TRUSTEE FOR WASHINGTON MUTUAL) Date: June 2, 2014
16 MORTGAGE PASS-THROUGH) Time: 9:00 a.m.
CERTIFICATES WMALT SERIES 2007-OA3.,) Place: Dept. 8, 6th Floor
17)
Defendant(s).)
18)

19
20 Plaintiff RICHARD ST. CLAIR (“Plaintiff”) and Defendants JPMORGAN CHASE
21 BANK, N.A. (“Chase”), MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.
22 (“MERS”), AND U.S. BANK, N.A. AS TRUSTEE FOR WASHINGTON MUTUAL MORTGAGE
23 PASS-THROUGH CERTIFICATES WMALT SERIES 2007-OA3 (“U.S. Bank”) (collectively,
24 “Defendants”) (Plaintiff and Defendants may be collectively referred to as the “Parties”), by and
25 through their counsel of record, hereby stipulate and request that the initial scheduling conference
26 currently set for June 2, 2014 at 9:00 a.m. before Judge Barbara A. McAuliffe be continued to July 7,
27 2014 at 9:00 a.m. or such other date as may be convenient for the court.

1 The Parties so stipulate and request because Defendants have filed motions to dismiss
2 Plaintiff's Complaint that were taken under submission on January 21, 2014. Until those motions are
3 resolved, it is unclear what claims and theories are properly at issue in this case. Accordingly, the
4 parties submit that the Court's and the parties' resources would be conserved by continuing the date of
5 the initial scheduling conference, and the deadlines triggered by that date, until the motions have been
6 resolved.

7 **IT IS SO STIPULATED.**

8 Dated: May 23, 2014

LOCKE LORD LLP

9 By: /s/ Sally W. Mimms (as authorized on May 21, 2014)
Sally W. Mimms

10 Attorneys for Defendants
11 MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,
12 INC. and U.S. BANK, N.A., AS TRUSTEE FOR
WASHINGTON MUTUAL MORTGAGE PASS-THROUGH
CERTIFICATES, WMALT SERIES 2007-OA3

13 KEESAL, YOUNG & LOGAN

14 By: /s/ Jessica Marie Luhrs
Jessica Marie Luhrs

15 Attorneys for Defendant
16 JPMORGAN CHASE BANK, N.A.

17 LAW OFFICES OF CHARLES T. MARSHALL

18 By: /s/ Charles T. Marshall (as authorized on May 21, 2014)
Charles T. Marshall

19 Attorneys for Plaintiff
20 RICHARD ST. CLAIR

21 **ORDER**

22 The Scheduling Conference is continued from June 2, 2014 to **Tuesday, July 29, 2014 at**
23 **8:30 a.m.** before Judge McAuliffe in Courtroom 8. The parties may request to advance the
24 Scheduling Conference should an Order of the Motion to Dismiss be issued.

IT IS SO ORDERED.

25 Dated: May 23, 2014

26 /s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE