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14 *Attorneys for Plaintiff,*

15 Daniel S. Ruiz

16 **UNITED STATES DISTRICT COURT**
17 **EASTERN DISTRICT OF CALIFORNIA**

18 DANIEL S. RUIZ,

19 Plaintiff,

20 vs.

21 WELLS FARGO BANK, N.A.,
22 HYUNDAI CAPITAL AMERICA,
23 VALLEY FIRST CREDIT UNION,
24 EXPERIAN INFORMATION
25 SOLUTIONS, INC., TRANS UNION
26 LLC, and EQUIFAX INFORMATION
27 SERVICES, LLC,

28 Defendants.

Case No. 1:17-CV-00321-LJO-SAB

**STIPULATION AND ORDER TO
CONTINUE MOTION TO DISMISS
HEARING**

Plaintiff Daniel S. Ruiz (“Plaintiff”) and Defendant Wells Fargo Bank, N.A. (“WFBNA”) hereby stipulate as follows:

WHEREAS, WFBNA filed a Motion to Dismiss Plaintiff’s Complaint on April 11, 2017 and a Motion Hearing was set for May 17, 2017 at 8:30 AM in Courtroom 4 (LJO) before Chief Judge Lawrence J. O’Neill;

1 WHEREAS, Plaintiff's counsel Clark Ovruchesky has a trial conflict from May 15th
2 to potentially May 17th in Los Angeles Superior Court and a settlement conference conflict
3 on May 17th in the Southern District of California (San Diego);

4 WHEREAS, Plaintiff's counsel Stephan Hoover has a family medical matter conflict
5 on May 17th in San Diego;

6 WHEREAS, Plaintiff and WFBNA are currently engaged in settlement discussions
7 and believe that a short continuance would also allow the parties to continue to explore
8 early resolution of this action;

9 WHEREAS, this request is not made for any delay or improper purpose;

10 THEREFORE, Plaintiff and WFBNA hereby request that the currently scheduled
11 Motion to Dismiss hearing be continued from May 17, 2017 to May 24, May 25, or May 26
12 and the motion filing deadlines related to WFBNA's Motion to Dismiss be adjusted
13 accordingly.

14
15 **IT IS SO STIPULATED.**

16 DATED: April 24, 2017

LAW OFFICE OF CLARK OVRUCHESKY.

17
18 By /s/ Clark Ovruchesky¹

19 Clark Ovruchesky
20 Attorneys for Plaintiff
Daniel S. Ruiz

21 DATED: April 24, 2017

SEVERSON & WERSON

22
23 By /s/ Laszlo Ladi (as authorized 4-24-17)

24 Laszlo Ladi
25 Attorneys for Defendant
26 Wells Fargo Bank, N.A.

27 _____
28 ¹ Pursuant to Eastern District Local Rule 131(e), filing counsel attests that all other
signatories listed hereon and on whose behalf this filing is submitted concur in the filing's
content and have authorized the filing.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED** that the hearing for
2 Wells Fargo Bank, N.A.'s Motion to Dismiss Plaintiff's Complaint currently set for May
3 17, 2017 is continued to May 24, 2017 at 10:00 AM in Courtroom 9 before Magistrate
4 Judge Stanley A. Boone and the motion filing deadlines related to WFBNA's Motion to
5 Dismiss are adjusted accordingly.

6 IT IS SO ORDERED.

7 Dated: April 24, 2017

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10 UNITED STATES MAGISTRATE JUDGE
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