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5 **Attorney for Defendants**
 6 **FIRST FRANKLIN FINANCIAL CORPORATION erroneously sued as**
 7 **FIRST FRANKLIN, A DIVISION OF NATIONAL CITY BANK a.k.a.**
 8 **FIRST FRANKLIN, MORTGAGE ELECTRONIC REGISTRATION**
 9 **SYSTEMS, INC., and SELECT PORTFOLIO SERVICING, INC.**

10 **UNITED STATES DISTRICT COURT OF CALIFORNIA**
 11 **EASTERN DISTRICT-SACRAMENTO**

12 **EFRAIN RAMIREZ and MARY C.**
 13 **RAMIREZ,**

14 **Plaintiffs,**

15 **vs.**

16 **FIRST FRANKLIN BANK, ACTION**
 17 **REAL ESTATE LENDING, TRACY**
 18 **MAX BRYAN, MORTGAGE**
 19 **ELECTRONIC SYSTEM, INC., and**
 20 **DOES 1 through 20, inclusive,**

21 **Defendants.**

U.S.D.C. Case Number:

2:09-CV-01335-MCE-KJM

Complaint filed on May 13, 2009

STIPULATION TO EXTEND TIME
TO RESPOND TO FIRST
AMENDED COMPLAINT AND
ORDER

[Local Rule 6-144]

22 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

23 Pursuant to Local Rule 6-144(a), this Stipulation is made by and between
 24 Plaintiffs EFRAIN RAMIREZ and MARY C. RAMIREZ (hereinafter,
 25 “Plaintiffs”) and Defendants FIRST FRANKLIN FINANCIAL CORPORATION,
 26 erroneously sued as FIRST FRANKLIN A DIVISION OF NATIONAL CITY
 27 BANK A.K.A FIRST FRANKLIN (hereinafter, “FIRST FRANKLIN”),
 28 MORTGAGE ELECTRONIC REGISTRATIONS SYSTEMS, INC. (hereinafter,
 “MERS”) and SELECT PORTFOLIO SERVICING, INC. (hereinafter, “SPS” or

1 collectively as, "Defendants"). Plaintiffs and Defendants hereby stipulate and
2 agree as follows:

- 3 1. While engaging in settlement negotiations, the Parties stipulated and
4 obtained an order granting Defendants until November 23, 2009 to
5 respond to the First Amended Complaint. The response to the First
6 Amended Complaint was originally due on or before October 23,
7 2009.
- 8 2. Defendants recently conveyed a settlement offer, without admitting
9 any liability, which they believe will likely resolve this action. As a
10 result, the parties seek a further extension so that they may fully
11 review the settlement potential without further unnecessary litigation
12 in this action.
- 13 3. This is the second extension granted by Plaintiffs to Defendants to
14 respond to the First Amended Complaint and it is for thirty-days.
- 15 4. This Stipulation is executed on behalf of all parties who are affected
16 by this Stipulation.
17

18
19 Accordingly, Plaintiffs stipulate that FIRST FRANKLIN, MERS, and SPS
20 may they file their response to the First Amended Complaint on or before
21 December 23, 2009.

22
23 Dated: November 19, 2009

ALBERTSON LAW

24
25 By: /s/ Gina L. Albertson
26 GINA L. ALBERTSON
27
28

1 Attorney for Defendants
2 **FIRST FRANKLIN FINANCIAL**
3 **CORPORATION erroneously sued as**
4 **FIRST FRANKLIN A DIVISION OF**
5 **NATIONAL CITY BANK a.k.a. FIRST**
6 **FRANKLIN, MORTGAGE ELECTRONIC**
7 **REGISTRATION SYSTEMS, INC., and**
8 **SELECT PORTFOLIO SERVICING, INC.**

9 Dated: November 19, 2009

LANAHAN & REILLEY, LLP

10 By: /s/ Michael J.M. Brook

11 MICHAEL J.M. BROOK (authorized
12 electronic signature on September 22,
13 2009)


Attorney for Plaintiffs

14 **EFRAIN RAMIREZ and MARY C.**
15 **RAMIREZ**

16 The Court having reviewed the pleadings and Stipulation to Respond to the
17 First Amended Complaint in this action, hereby Orders that Defendants FIRST
18 FRANKLIN FINANCIAL CORPORATION, erroneously sued as FIRST
19 FRANKLIN A DIVISION OF NATIONAL CITY BANK A.K.A FIRST
20 FRANKLIN, MORTGAGE ELECTRONIC REGISTRATIONS SYSTEMS, INC.,
21 and SELECT PORTFOLIO SERVICING, INC. may file their response to the First
22 Amended Complaint on or before December 23, 2009.

23 IT IS SO ORDERED.

24 Dated: November 20, 2009

25 
26 MORRISON C. ENGLAND, JR.
27 UNITED STATES DISTRICT JUDGE
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