1			
2			
3			
4			
5			
6			
7			
8	UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO		
10			
11	STEVE LOPEZ AND CARMEN LOPEZ,	Case No. 2:09-CV-01510-JAM-DAD	
12	Plaintiffs,	[Assigned to the Hon. John A. Mendez, Ctrm.	
13	vs.	6, for all purposes]	
14	WACHOVIA MORTGAGE, WORLD	STIPULATION AND [PROPOSED]	
15	SAVINGS BANK, COMSTOCK MORTGAGE, DAVID MENDOZA,	ORDER FOR RESCHEDULING OF CERTAIN DEADLINES SET BY THE	
16	ADRIAN DEL RIO, and DOES 1-20	COURT'S OCTOBER 5, 2009	
17	inclusive,	SCHEDULING ORDER	
18	Defendants.		
19		_	
20	TO THE HONORABLE DISTRICT COURT:		
21	<u>RECITALS</u>		
22	A. Plaintiffs Steve Lopez and Carmen Lopez through their counsel, Michael J.M.		
23	Brook of Lanahan & Reilley, LLP, defendant Wachovia Mortgage, FSB, formerly known as		
24	World Savings Bank, FSB, and sued here as "Wachovia Mortgage and World Savings Bank"		
25	("Wachovia"), through its counsel, Jeremy E. Shulman of Anglin, Flewelling, Rasmussen,		
26	Campbell & Trytten, LLP, and defendants Comstock Mortgage, David Mendoza and Adrian Del		
27	Rio, through their counsel, Glenn W. Peterson of Millstone, Peterson & Watts, LLP, hereby		
28			
	C:\Documents and Settings\HVine\Desktop\09cv1510.o.5410.doc	2:09-CV-01510-JAM-DAD STIPULATION AND [PROPOSED] ORDER TO EXTEND SCHEDULING ORDER DATES	

1	submit this joint request for an order extending the deadlines set in the October 5, 2009		
2	Scheduling Order.		
3	В.	On October 5, 2009, this Cour	rt entered a Scheduling Order setting various
4	discovery an	d litigation deadlines with a trial date for November 15, 2010.	
5	C.	On January 21, 2010, Wachovia filed a motion to dismiss and a motion to strike	
6	regarding plaintiff's third amended complaint with a hearing date of March 17, 2010. Those		
7	motions were taken under submission by the Court on March 12, 2010.		
8	D.	Due to the uncertainty of the I	pleadings and Wachovia's pending motions to
9	dismiss and strike, the parties hereby request an extension of various Scheduling Order deadlines		
10	and a continuance of the trial date.		
11			
12	<u>STIPULATION</u>		
13	It is therefore STIPULATED:		
14	1. That all parties consent to a Court Order rescheduling the following deadlines and		
15	the trial date set forth in the Court's October 5, 2010 Scheduling Order:		
16			
17		<u>EVENTS</u>	PROPOSED NEW DATES
18	•	Expert Witness Disclosure	June 11, 2010
19	•	Supplemental disclosure	June 18, 2010
20	•	Discovery cutoff	August 6, 2010
21	•	Dispositive motion filing	September 8, 2010
22	•	Dispositive motion hearing	October 6, 2010
23	•	Joint pretrial statement due	November 5, 2010
24			
25			
26			
27			

28

1	<u>EVENTS</u>	PROPOSED NEW DATES
2	Final pretrial conference	November 12, 2010 at 3:00 p.m.
3	• Jury trial	January 10, 2011 at 9:00 a.m.
4		
5		LANAHAN & REILLEY, LLP
6	D . 1 15 2 2010	
7	Dated: May 3, 2010	By: /s/Michael J.M. Brook Michael J.M. Brook
8		rnbrook@lanahan.com Attorneys for Plaintiffs,
9		Steve Lopez and Carmen Lopez
10	Dated: May 3, 2010	ANGLIN, FLEWELLING, RASMUSSEN, CAMPBELL & TRYTTEN LLP
11		Day /-/I
12		By: /s/Jeremy E. Shulman Jeremy E. Shulman jshulman@afrct.com
13		Attorneys for Defendant,
14		Wachovia Mortgage, FSB, formerly known as World Savings Bank, FSB, and sued here as "Wachovia Mortgage and World Savings Bank"
15	Dated: May 3, 2010	MILLSTONE, PETERSON & WATTS, LLP
16		
17		By:/s/Glenn W. Peterson Glenn W. Peterson
18		gpeterson@mpwlaw.net Attorneys for Defendants,
19		Comstock Mortgage, David Mendoza and Adrian Del Rio
20	ORDER ON STIPULATION	
21	Having read and filed the foregoing Stipulation, and good cause appearing:	
22	IT IS ORDERED:	
23	1. That the deadlines originally set by the Court's October 5, 2010 Scheduling Order	
24	are continued to the dates stipulated to by the parties and the trial is continued to January 10, 2011	
25	at 9:00 a.m.	
26		
27	Dated: May 4, 2010	/s/ John A. Mendez HON. JOHN A. MENDEZ
28		UNITED STATES DISTRICT JUDGE
	C:\Documents and Settings\HVine\Desktop\09cv1510.o.5410.doc	3 2:09-CV-01510-JAM-DAD STIPULATION AND [PROPOSED] ORDER TO