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13 Attorneys for Defendant  
14 AURORA LOAN SERVICES LLC

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13 CARLOS RUBIO, an individual, MARTA  
14 RUBIO, an individual,

15 Plaintiffs,

16 v.

17 AURORA LOAN SERVICES, LLC, et al.,

18 Defendants.

Case No. 2:09-cv-01743  
Hon. Garland E. Burrell, Jr.

**STIPULATION FOR EXTENSION  
OF TIME FOR AURORA LOAN  
SERVICES LLC TO RESPOND TO  
COMPLAINT; ORDER**

Complaint Filed: May 13, 2009  
Trial Date: None

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20 **TO THE COURT AND THE PARTIES AND THEIR COUNSEL OF RECORD:**

21 **PLEASE TAKE NOTICE** that plaintiffs Carlos Rubio and Marta Rubio  
22 (**plaintiffs**) and defendant Aurora Loan Services LLC (**Aurora**) stipulate as follows:

23 **WHEREAS**, plaintiffs filed their complaint on May 13, 2009;

24 **WHEREAS**, plaintiff served Aurora with the complaint on May 20, 2009;

25 **WHEREAS**, Aurora has not yet appeared in this action;

1           **WHEREAS**, a piece of real property which is the subject of this action, located at  
2 102 Crestwood Lane in American Canyon, California (the **property**), has been sold at a  
3 trustee's sale, the validity of which plaintiffs challenge in this action;

4           **WHEREAS**, plaintiffs intend to file a first amended complaint within the time  
5 allowed them by the Court's Order dated September 1, 2009;

6           **WHEREAS**, Aurora is willing to forbear taking any action to evict plaintiffs  
7 from the property until conclusion of this litigation between Aurora and the plaintiffs in  
8 the District Court concerning this case;

9           **THEREFORE**, the parties request that this Court order that Aurora be excused  
10 from responding to the complaint dated May 13, 2009, but that Aurora be required to  
11 respond to the plaintiffs' forthcoming amended complaint within the time allowed under  
12 Fed. R. Civ. P. 15(a)(3), and that Aurora forbear from evicting plaintiffs before  
13 proceedings in this District Court conclude.

14           **SO STIPULATED.**

15 Dated: September 15, 2009

Respectfully submitted,

**AKERMAN SENTERFITT LLP**

By: /s/ Justin D. Balsler  
Justin D. Balsler  
Attorney for Defendant  
AURORA LOAN SERVICES LLC

**HENDRICKSON LEGAL SERVICES**

By: /s/ John Hendrickson\*  
John Hendrickson  
Attorney for Plaintiffs  
CARLOS RUBIO and MARTA RUBIO  
*\*e-signature approved via email on  
September 10, 2009*

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**ORDER**

**The parties'** above-stipulation provides that Aurora Loan Services LLC shall answer or otherwise respond to the first amended complaint as required under Fed. R. Civ. P. 15(a)(3) and shall forbear from taking action to evict the plaintiffs from the property at 102 Crestwood Lane in American Canyon, California, during the pendency of this action in this District Court.

IT IS SO ORDERED.

Dated: 9/15/09



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Garland E Burrell, Jr.  
United States District Judge