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9 **Attorneys for Plaintiff**

10 **BANK OF AMERICA, N.A., as successor by merger to La**
 11 **Salle Bank National Association, as trustee for the Merrill**
 12 **Lynch First Franklin Mortgage Loan Trust, Mortgage Loan**
 13 **Asset-Backed Certificates, Series 2007-H-1 and as trustee for**
 14 **the Merrill Lynch First Franklin Mortgage Loan Trust, Series**
 15 **2007-A Mortgage Loan Asset-Backed Certificates**

16 **UNITED STATES DISTRICT COURT**

17 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

18 **BANK OF AMERICA, N.A., as successor by**
 19 **merger to LaSalle Bank National Association, as**
 20 **trustee for the Merrill Lynch First Franklin**
 21 **Mortgage Loan Trust, Mortgage Loan Asset-**
 22 **Backed Certificates, Series 2007-H-1 and as trustee**
 23 **for the Merrill Lynch First Franklin Mortgage Loan**
 24 **Trust, Series 2007-A Mortgage Loan Asset-Backed**
 25 **Certificates.**

26 **Plaintiff,**

27 **v.**

28 **NIKOLAY YAKIMENKO, an individual;**
JANETA ASLANYAN, an individual; FIRST
AMERICAN TITLE INSURANCE CO., a
California corporation; GMAC MORTGAGE,
LLC, a Delaware corporation; and DOES 1 through
200, inclusive,

Defendants.

Case No.: 2:09-cv-02865

STIPULATION TO EXTEND PRE-TRIAL
DEADLINES; ORDER

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

This Stipulation is made pursuant to Federal Rules of Court Rule 16(b)(4), Local Civil Rules of Court Rule 83-143 and the Scheduling Order Section XIII, and is made by and between Plaintiff BANK OF AMERICA, N.A., as successor by merger to LaSalle Bank National Association, as

1 trustee for the Merrill Lynch First Franklin Mortgage Loan Trust, Mortgage Loan Asset-Backed
2 Certificates, Series 2007-H-1 and as trustee for the Merrill Lynch First Franklin Mortgage Loan
3 Trust, Series 2007-A Mortgage Loan Asset-Backed Certificates (“BOA”), Defendant GMAC
4 MORTGAGE, LLC (“GMAC”), and Defendant DOE 1, UNITED STATES OF AMERICA (“US”),
5 by and through their respective counsel of record herein. The parties stipulate and hereby seek the
6 Court to continue all pre-trial dates currently set forth in the Scheduling Order based on good cause
7 and agreement of the parties.

8 WHEREAS, BOA, GMAC and US are currently the only active, non-defaulted, parties in the
9 action; and

10 WHEREAS, GMAC has only recently appeared in the action; and

11 WHEREAS, GMAC has only recently obtained counsel to represent it in this action; and

12 WHEREAS, BOA, GMAC and US are currently seeking to resolve this matter without
13 further Court intervention; and

14 WHEREAS, the Trial Date of February 13, 2012 as currently set forth in the Scheduling
15 Order, will remain the same; and

16 WHEREAS, no previous stipulation and request for a modification of the scheduling order or
17 request for continuance of a trial date has been made; and

18 WHEREAS, the stipulation and request will not prejudice the parties;

19 **NOW THEREFORE**, good cause exists to modify the Scheduling Order relating to all pre-
20 trial dates, except the trial date, as follows:

21 Discovery Cut-Off DeadlineSeptember 16, 2011
22 *(Old Date: April 13, 2011)*

23 Expert Witness DisclosureNovember 4, 2011
24 *(Old Date: June 13, 2011)*

25 Dispositive Motion Filing Deadline.....October 10, 2011
26 *(Old Date: June 16, 2011)*

27 Opposition Filing Deadline.....October 31, 2011
28 *(Old Date: July 7, 2011)*

- 1 Reply Filing Deadline.....November 14, 2011
- 2 (Old Date: July 21, 2011)
- 3 Hearing on Dispositive Motion.....November 24, 2011 at 2:00 p.m.
- 4 (Old Date: August 11, 2011)
- 5 Pre-Trial Conference.....January 19, 2012 at 2:00 p.m.
- 6 (Old Date: December 15, 2011)
- 7 Statement Filing Deadline.....December 28, 2011
- 8 (Old Date: November 23, 2011)
- 9 Trial Brief Filing Deadline.....January 5, 2012
- 10 (Old Date: December 1, 2011)
- 11 Evidentiary and Procedural Motions DeadlineDecember 28, 2011
- 12 (Old Date: November 23, 2011)
- 13 Opposition Filing Deadline.....January 5, 2012
- 14 (Old Date: December 1, 2011)
- 15 Reply Filing Deadline.....January 12, 2012
- 16 (Old Date: December 8, 2011)

17 **NOW THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE** to the
18 foregoing modification.

19 DATED: April 12, 2011 SEVERSON & WERSON, P.C.

20
21 By: /s/ Casey J. McTigue (as authorized on April 12, 2011)
22 CASEY J. MCTIGUE
23 Attorneys for Defendant
24 GMAC MORTGAGE, LLC

24 DATED: April 12, 2011 BENJAMIN B. WAGNER
25 United States Attorney

26 By: /s/Andy R. Camacho (as authorized on April 12, 2011)
27 ANDY R. CAMACHO
28 Attorneys for Defendant DOE 1
UNITED STATES OF AMERICA

1 DATED: April 12, 2011

WOLFE & WYMAN, LLP

2
3 By: /s/ Alice M. Dostalova

ALICE M. DOSTALOVA

STUART B. WOLFE

Attorneys for Plaintiff

4 BANK OF AMERICA as successor by merger to LaSalle
5 Bank National Association, as trustee for the Merrill Lynch
6 First Franklin Mortgage Loan Trust, Mortgage Loan Asset-
7 Backed Certificates, Series 2007-H-1 and as trustee for the
8 Merrill Lynch First Franklin Mortgage Loan Trust, Series
9 2007-A Mortgage Loan Asset-Backed Certificates

10 **ORDER**

11
12 Having reviewed the foregoing stipulation, the Court finds that good cause has been shown
13 for modification of the Court's Pretrial Scheduling Order under the circumstances. Because the
14 timing of the proposed continued dates are not workable within the confines of the currently
15 scheduled Final Pretrial Conference and trial date, however, the trial in this matter will be continued
16 to July 2, 2012. The remaining dates will be scheduled in conjunction with that new trial date
17 and will be set forth within a comprehensive Amended Pretrial Scheduling Order to be
18 issued by the Court shortly.

19 **IT IS SO ORDERED.**

20 DATED: April 19, 2011

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22 
23 MORRISON C. ENGLAND, JR.
24 UNITED STATES DISTRICT JUDGE