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8 **National Association, as trustee for the Merrill Lynch First Franklin**
Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series
9 **2007-H-1 and as trustee for the Merrill Lynch First Franklin Mortgage Loan**
Trust, Series 2007-A Mortgage Loan Asset-Backed Certificates

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15 **Attorneys for Defendant**
GMAC MORTGAGE, LLC

17 **UNITED STATES DISTRICT COURT**

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

19 **BANK OF AMERICA, N.A., etc.,**

20 **Plaintiff,**

21 **v.**

22 **NIKOLAY YAKIMENKO, JANETA**
ASLANYAN, FIRST AMERICAN TITLE
23 **INSURANCE CO., GMAC MORTGAGE,**
LLC, and DOES 1-200, inclusive,

Case No.: 2:09-cv-02865 MCE GGH

**STIPULATION AND ORDER EXTENDING
TIME FOR PARTIES TO RESPOND TO
DISCOVERY REQUESTS AND EXTENDING
THE FACT-DISCOVERY CUT-OFF FOR
THAT PURPOSE**

25
26 **Plaintiff and Defendants GMAC MORTGAGE, LLC, (“GMAC”) and UNITED STATES OF**
27 **AMERICA (“U.S.”) (collectively, “Parties”)** hereby stipulate as follows and request that the court
28 enter the proposed order set forth below.





1 WHEREAS, trial of this case is scheduled to begin on July 2, 2012;
2 WHEREAS, the fact-discovery cut-off is September 16, 2011;
3 WHEREAS, on August 11, 2011, Plaintiff propounded the following discovery requests
4 upon Defendant GMAC: (1) Requests for Production of Documents Propounded by Plaintiff Bank
5 of America, N.A., to Defendant GMAC Mortgage, LLC, Set One; (2) Interrogatories Propounded
6 by Plaintiff Bank of America N.A., to Defendant GMAC Mortgage, LLC, Set One; (3) Requests for
7 Admission Propounded by Plaintiff Bank of America N.A., to Defendant GMAC Mortgage, LLC,
8 Set One (“BofA’s Discovery”);

9 WHEREAS, on August 13, 2011, GMAC propounded the following discovery requests upon
10 Plaintiff: (1) Defendant GMAC’s Request for Production of Documents and Electronically Stored
11 Information and Things to Plaintiffs, Set One; (2) Defendant GMAC’s Interrogatories to Plaintiff,
12 Set One; and (3) Defendant GMAC’s Requests for Admission to Plaintiff, Set One (“GMAC’s
13 Discovery”);

14 WHEREAS, Plaintiff and Defendant GMAC and their attorneys require additional time
15 beyond the discovery cut-off to adequately and properly respond to GMAC’s Discovery and BofA’s
16 Discovery; and,

17 WHEREAS, the Parties believe that a short extension of time for Plaintiff’s and Defendant
18 GMAC’s responses beyond the discovery cut-off will not interfere with any litigation dates,
19 schedules, or deadlines in this action.

20 NOW, THEREFORE, the Parties stipulate and agree that, notwithstanding the fact discovery
21 cut-off date, Plaintiff and Defendant GMAC shall have up to and including **September 29, 2011**, to
22 serve their responses to GMAC’s Discovery and to BofA’s Discovery, respectively, and that the fact
23 discovery cut-off shall be extended to **September 29, 2011** for this purpose alone.

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1 IT IS SO STIPULATED.

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3 DATED: September 14, 2011

WOLFE & WYMAN LLP

4
5 By: /s/ Marcus T. Brown SBN 225662

6 STUART B. WOLFE
ALICE M. DOSTALOVA
MARCUS T. BROWN

7 Attorneys for Plaintiff
8 BANK OF AMERICA, N.A., as successor by merger
9 to La Salle Bank National Association, as trustee for
10 the Merrill Lynch First Franklin Mortgage Loan Trust,
Mortgage Loan Asset-Backed Certificates, Series
2007-H-1 and as trustee for the Merrill Lynch First
Franklin Mortgage Loan Trust, Series 2007-A
Mortgage Loan Asset-Backed Certificates

11
12 DATED: September 14, 2011

CAMPBELL WARBURTON FITZSIMMONS
SMITH MENDELL & PASTORE

13
14
15 By: /s/ Lisa Jeong Cummins

LISA JEONG CUMMINS

16 Attorneys for Defendant
GMAC MORTGAGE, LLC

17
18 DATED: September 14, 2011

BENJAMIN B. WAGNER
United States Attorney

19
20 By: /s/ Andy R. Camacho

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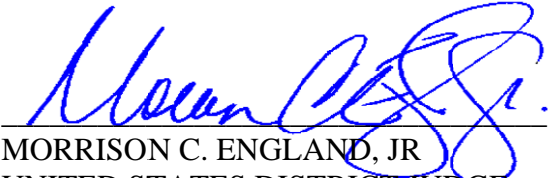
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ORDER

The Court, having reviewed the foregoing stipulation, and good cause appearing therefore, hereby ORDERS that Plaintiff and Defendant GMAC shall have up to and including **September 29, 2011**, to serve their responses to GMAC’s Discovery and to BofA’s Discovery, respectively, and that the fact discovery cut-off shall be extended to **September 29, 2011** for this purpose alone.

IT IS SO ORDERED.

Dated: September 20, 2011


MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE

