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5 Attorneys for Plaintiff,
 DEANNA WALTERS

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 7
 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT
 10 Sacramento Division

11 DEANNA WALTERS;)
)
 12 Plaintiff,)
)
 13 v.)
)
 14 FIDELITY MORTGAGE OF CALIFORNIA,)
 15 INC.; CAL-WESTERN RECONVEYANCE)
 16 CORP.; MORTGAGE ELECTRONIC)
 17 REGISTRATION SYSTEMS, INC.; JAMES)
 18 YORK; OCWEN LOAN SERVICING, LLC;)
 19 J.P. MORGAN CHASE & CO.; J.P.)
 20 MORGAN CHASE BANK, N.A.; AND)
 21 DOES 1 THROUGH 50, INCLUSIVE;)
 22 Defendants.)

Case No. 2:09-CV-03317-FCD-KJM

**STIPULATION AND ORDER TO
 EXTEND TIME FOR PLAINTIFF TO
 FILE SECOND AMENDED
 COMPLAINT**

20 _____)
 21 JAMES YORK,)
 22 Plaintiff,)
 23 v.)
 24 DEANNA WALTERS,)
 25 Defendant.)

26 Plaintiff DEANNA WALTERS (“Walters”) and Defendants OCWEN LOAN
 27 SERVICING, LLC (“Ocwen”) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,

1 INC, (“MERS”) and James York (“York”) by and through their undersigned attorneys of record,
2 hereby stipulate and agree and respectfully request the Court approve granting Walters a brief
3 extension of one (1) week to file a Second Amended Complaint.

4 This Stipulation and request is based on the following:

5 1. The Court issued a Memorandum and Order denying in part and granting in part,
6 with leave to amend, Defendants Ocwen and MERS’ Motions to dismiss and to Strike. Walters
7 was granted fifteen days (April 29th) to file an amended complaint.

8 2. Walters has two counsel working on this matter. One of them has been traveling
9 on the east coast for the last week and will only return to his home later today, April 28th. The
10 other counsel is scheduled to travel to Hanover, New Hampshire to attend a Family Week-end at
11 Dartmouth College from April 29th through May 2nd. As a result, while counsel have been
12 working the amended pleading, they have not been able to meet and will not be able to meet until
13 Monday May 3rd to review and polish the draft amended complaint and finalize the pleading for
14 filing.

15 3. A brief extension of time is needed and is reasonable and appropriate to allow
16 counsel to finish and file the amended complaint.

17 4. The extension will not delay the progress of the case nor prejudice any party.

18 5. The extension will advance the interests of justice.

19 Respectfully Submitted,

20 DATED: April 28, 2010

LAW OFFICES OF A. PETER RAUSCH, JR.

21
22 By: /s/ A. Peter Rausch, Jr.
A. PETER RAUSCH, JR.
Attorneys for Plaintiff, Deanna Walters

23
24 **[Submitted via E-Filing]**

1 DATED: April 28, 2010

HOUSER & ALLISON

2
3 By: /s/ Lukasz I. Wozniak
4 LUKASZ I. WOZNIAK
5 Attorneys for Defendants, Ocwen Loan
6 Servicing, LLC and Mortgage Electronic
7 Registration Systems, Inc
8 **[Submitted via E-Filing]**

6 DATED: April 28, 2010

WAGNER KIRKMAN BLAINE
KLOMPARENS & YOUMANS LLP

8 By: /s/ Eric Garner
9 ERIC GARNER
10 Attorneys for Defendant and Cross-Complainant
11 JAMES YORK
12 **[Submitted via E-Filing]**

11 **E-FILING SIGNATURE ATTESTATION**

12 I hereby attest that I have been expressly authorized by opposing counsel to affix his
13 signature above as indicated by a "conformed" signature (/S/) within this e-filed document.

14 April 28, 2010

/s/ A. Peter Rausch, Jr.
A. Peter Rausch, Jr.

[Submitted via E-Filing]

18 **ORDER**

19 **IT IS SO ORDERED.**

21 Date: April 29, 2010

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21 
22 FRANK C. DAMRELL, JR.
23 UNITED STATES DISTRICT JUDGE