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7 Attorneys for Defendants  
 Metropolitan West Securities, LLC and Wells  
 8 Fargo Bank, N.A., successor by merger to  
 Wachovia Bank, N.A.

9 UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

11 CALIFORNIA EARTHQUAKE AUTHORITY,  
 12 Plaintiff,  
 13 vs.  
 14 METROPOLITAN WEST SECURITIES, LLC;  
 15 WACHOVIA BANK, N.A.; and DOES 1 through  
 16 25,  
 17 Defendants.

No.: 2:10-CV-00291 FCD (GGH)

**STIPULATION AND ORDER EXTENDING  
 TIME FOR DEFENDANTS TO FILE AN  
 ANSWER**

Date action removed: February 4, 2010  
 Trial date: None set

REED SMITH LLP  
 A limited liability partnership formed in the State of Delaware

1 WHEREAS the Verified Complaint for Damages, Restitution, Rescission, and Civil  
2 Penalties ("Complaint") in this Action was filed in Sacramento County Superior Court on December  
3 31, 2009;

4 WHEREAS simultaneous with the filing of the Complaint, Plaintiff California Earthquake  
5 Authority filed a Motion to Disqualify Munger, Tolles & Olson LLP as counsel for Defendants  
6 Metropolitan West Securities, LLC and Wachovia Bank, N.A. (collectively "Wachovia");

7 WHEREAS this Action was removed to this Court on February 4, 2010;

8 WHEREAS on February 25, 2010, this Court entered an Order pursuant to the parties'  
9 stipulation extending the time for Wachovia to file a responsive pleading until forty-five days after  
10 the Court had issued its ruling on Plaintiff's Motion to Disqualify;

11 WHEREAS on April 2, 2010, this Court entered an Order pursuant to the parties' stipulation  
12 extending the deadline for the parties to submit a Joint Status Report until twenty-one days after the  
13 case has been put at issue by the filing of Wachovia's Answer;

14 WHEREAS Plaintiff's Motion to Disqualify was granted by this Court's Order of May 5,  
15 2010;

16 WHEREAS this Court's Order of May 5, 2010 stayed the Action for forty-five days to permit  
17 Wachovia to obtain new counsel and required the parties to submit a joint status (pretrial scheduling)  
18 conference statement within twenty days of the substitution of new counsel;

19 WHEREAS this Court's Order of June 21, 2010, pursuant to Stipulation of the parties  
20 permitted Wachovia until July 2, 2010 to file a responsive pleading and for the parties to file a joint  
21 status (pretrial scheduling) conference statement within twenty-one days of Wachovia putting the  
22 case at issue by filing an answer;

23 WHEREAS Counsel for Wachovia, Mr. Jesse Miller is an officer in the California Army  
24 National Guard, and service requirements related to recent events in the State, have or may interfere  
25 with his involvement in the case through July 5, 2010;

26 WHEREAS Wachovia has determined that it will Answer the Complaint, rather than file a  
27 motion to dismiss or some other responsive pleading;

28 NOW, THEREFORE, IT IS HEREBY STIPULATED by and among Plaintiff California

1 Earthquake Authority and Defendants Metropolitan West Securities LLC and Wachovia Bank,  
2 N.A., through the undersigned counsel, as follows:

3 1. The time for Defendants Metropolitan West Securities LLC and Wachovia Bank,  
4 N.A. to answer the Complaint shall be extended until July 9, 2010.

5 2. The parties shall file a joint status (pretrial scheduling) conference statement on or  
6 before July 30, 2010.

7  
8 **IT IS SO STIPULATED:**

9 DATED: June \_\_, 2010.

REED SMITH LLP

11 By \_\_\_\_\_/s/

12 David C. Powell  
13 Jesse L. Miller  
14 Christopher C. Foster  
15 Attorneys for Defendants Metropolitan West  
16 Securities, LLC and Wachovia Bank, N.A.

16 DATED: June \_\_, 2010


STRUMWASSER & WOOCHEER LLP

18 By \_\_\_\_\_/s/

19 Michael J. Strumwasser  
20 Fredric D. Woocher  
21 Jonathan D. Krop  
22 Attorneys for Plaintiff California Earthquake  
23 Authority

24  
25 **IT IS SO ORDERED:**

25 Dated: July 1, 2010

26   
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE