1 2 3 4 5 6 7 8 9 10	MANATT, PHELPS & PHILLIPS, LLP BARRY W. LEE (Bar No. CA 088685) E-mail: BWLee@manatt.com KEVIN P. DWIGHT (Bar No. CA 239476) E-mail: KDwight@manatt.com One Embarcadero Center, 30th Floor San Francisco, CA 94111 Telephone: (415) 291-7400 Facsimile: (415) 291-7474 Attorneys for Defendants CITIBANK, N.A. and CITICORP USA, INC ALTEMUS & WAGNER Stewart C. Altemus (Bar No. CA 98746) 1255 Sacramento Street Redding, CA 96001 Telephone: (530) 242-8800 Facsimile: (530) 242-8900						
11 12	Attorneys for Plaintiffs ANTONIO RODRIGUEZ and LORRAINE RODRIGUEZ, individually, and as partners in SHASTA ENTERPRISES						
13							
14							
15	UNITED STATES DISTRICT COURT						
16	EASTERN DISTRICT						
17	SACRAMENTO DIVISION						
18							
19	ANTONIO RODRIGUEZ and LORRAINE RODRIGUEZ, individually, and as partners in SHASTA	Case No. 2:10-CV-01844-GEB-CMK					
20	ENTERPRISES, a California General Partnership,	ADDITIONAL STIPULATION AND ORDER RE: EXTENSION OF TIME TO					
21	Plaintiffs,	FILE RESPONSE AND COUNTERCLAIM					
22	VS.						
23	CITIBANK, N.A., CITICORP USA, INC.						
24	and DOES 1 THROUGH 50,						
25	Defendants.						
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28							
MANATT, PHELPS & PHILLIPS, LLP Attorneys At Law San Francisco	300195142.1	ADDITIONAL STIPULATION AND ORDER CASE NO. 2:10-CV-01844-GEB-CMK					

1	This Additional Stipulation and [Proposed] Order Re: Extension of Time to File						
2	Response and Counterclaim is entered into by and between Plaintiffs ANTONIO RODRIGUEZ						
3	and LORRAINE RODRIGUEZ, individually, and as partners in SHASTA ENTERPRISES						
4	(collectively, "Plaintiffs"), on the one hand, and Defendants CITIBANK, N.A., and CITICORP						
5	USA, INC. (collectively, "Defendants"), on the other hand, by and through their respective						
6	counsel of record. Plaintiffs and Defendants are collectively referred to herein as the "Parties."						
7	RECITALS						
8	A. WHEREAS, on June 18, 2010, Plaintiffs commenced an action against						
9	Defendants entitled Rodriguez, et al. v. Citibank, N.A., et al., Superior Court of the State of						
10	California, County of Shasta, Case No. CV10-0169504 (the "Shasta County Action");						
11	B. WHEREAS, on July 15, 2010, Defendants filed a Notice of Removal of the						
12	Shasta County Action [ECF No. 2] with the above-entitled District Court;						
13	C. WHEREAS, to provide the Parties with an opportunity to conduct						
14	settlement negotiations, the Parties have entered into several Stipulations extending the time for						
15	Defendants to file a response and/or counterclaim;						
16	D. WHEREAS, the Parties recently entered into a settlement in principal that						
17	will fully and finally resolve this action. The Parties are working to finalize the terms of the						
18	settlement in principal and to document the final settlement agreement;						
19	E. WHEREAS, on December 7, 2010, the Court issued an Order Re:						
20	Settlement and Disposition [ECF No. 18], which requires the Parties to file a dispositional						
21	document by no later than February 14, 2011;						
22	F. WHEREAS, the Parties seek a further extension of time through February						
23	14, 2011 to finalize the settlement documentation and resolve this case without the need for trial;						
24	and						
25	G. WHEREAS, the stipulated extension of time set forth herein will not alter						
26	the date of any event or any deadline already fixed by Court order.						
27	NOW, WHEREFORE, the Parties agree as follows:						
28	///						
LPS & LP LAW	300195142.11ADDITIONAL STIPULATION AND ORDER CASE NO. 2:10-CV-01844-GEB-CMK						

1		<b>STIPULATION</b>					
2		1. The time for Defendants to file an answer or other response to Plaintiffs'					
3	complai	complaint shall be extended from January 4, 2011 through and including February 14, 2011.					
4		2. The time for Defendants to file a counterclaim (if any) shall be extended					
5	from Jai	from January 4, 2011 through and including February 14, 2011.					
6							
7	Dated:	January 4, 201	1	ALTEMUS & W	AGNER		
8							
9				By: <u>/s/ Stewart</u> Stewart (	C. Altemus		
10				Attorney	s for Plaintiffs O RODRIGUEZ and LORRAINE		
11				RODRIG	UEZ, individually, and as partners in ENTERPRISES		
12							
13	Dated:	January 4, 201	1	MANATT, PHE	LPS & PHILLIPS, LLP		
14							
15				By: <u>/s/ Kevin I</u> Kevin P.	Dwight		
16				Attorneys CITIBAN	s for Defendants NK, N.A. AND CITICORP USA, INC.		
17							
18							
19		IT IS SO ORDERED.					
20		1/4/11		Ander	E. Kumille		
21					E. BURRELL, JR.		
22				united S	tates District Judge		
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MANATT, PHELPS & PHILLIPS, LLP Attorneys At Law San Francisco	300195142.	1		2	ADDITIONAL STIPULATION AND ORDER CASE NO. 2:10-CV-01844-GEB-CMK		