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6 Attorneys for Defendant
MortgageIT, Inc.

8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 CONSTANCE SOLANO,

12 Plaintiff,

13 vs.

14 AMERICA'S SERVICING COMPANY, a
division of WELLS FARGO, NA; WELLS
15 FARGO, NA; MORTGAGEIT, INC.;
MORTGAGE ELECTRONIC REGISTRATION
16 SYSTEMS, INC.; NDEX WEST, L.L.C.;
FINANCIAL TITLE COMPANY; U.S. BANK
17 NA; BANC OF AMERICA FUNDING 2007-6
TRUST; MORTGAGE AND INVESTORS
18 INVESTMENT CONSULTANTS, INC.; and
DOES 1-10,000, inclusive,

19 Defendants.
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No.: 2:10-cv-02426 GEB GGH

**JOINT STIPULATION TO MODIFY
STATUS ORDER TO EXTEND EXPERT
DISCLOSURE DEADLINE; [PROPOSED]
ORDER MODIFYING STATUS ORDER
TO EXTEND EXPERT DISCLOSURE
DEADLINE**

Compl. Filed: September 10, 2010
Trial Date: Not Yet Assigned

Honorable Garland E. Burrell

RECITALS

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3 1. Plaintiff Constance Solano (“Plaintiff”) filed the Complaint in this matter on
4 September 10, 2010.

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6 2. Defendant MortgageIT, Inc. (“MortgageIT”) filed a Motion to Dismiss and a Motion
7 to Strike Portions of the Complaint on November 12, 2010. The hearing on MortgageIT’s motions
8 was set for January 24, 2011.

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10 3. On December 2, 2010, defendant NDEX West, LLC (“NDEX”) filed a joinder in
11 MortgageIT’s Motion to Dismiss.

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13 4. Defendants Wells Fargo Bank, N.A. dba America’s Servicing Company (“ASC”),
14 U.S. Bank, N.A. dba Banc of America Funding 2007-6 Trust (“Banc of America Funding”) and
15 Mortgage Electronic Registration Systems, Inc. (“MERS”) filed a Motion to Dismiss the Complaint
16 on December 20, 2010. The hearing on defendants’ Motion to Dismiss was also set for January 24,
17 2011.

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19 5. On January 21, 2011, the Court notified the parties that it was taking all pending
20 motions to dismiss and MortgageIT’s motion to strike under submission without oral argument.

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22 6. On March 14, 2011, the parties submitted a Joint Status Conference Report.

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24 7. On March 23, 2011, the Court issued its Status Order vacating the Status Conference
25 set for March 28, 2011, and setting the case for trial on June 5, 2012. The Status Order also set forth
26 the following pre-trial deadlines and cut-offs:

27 Discovery Cut-Off: October 19, 2011

28 Initial Expert Witness Disclosures: May 20, 2011

Rebuttal Expert Witness Disclosures: June 20, 2011

Motion Cut-Off: December 19, 2011

Final Pre-Trial Conference: March 5, 2012

8. The parties have agreed to defer the exchange of initial disclosures until such time as the pleadings are set.

9. By Order dated May 3, 2011, the Court granted Defendants' Motions to Dismiss With and Without Prejudice. Several of Plaintiffs' claims were dismissed with prejudice, and the remainder were dismissed without prejudice. As to those claims for which the Court granted Plaintiff leave to amend, Plaintiff must file any amended complaint within 14 days, or by May 17, 2011.

10. Currently, there is no operative complaint pending in this matter.

STIPULATION

The parties believe that an extension of the expert disclosure deadline and an extension of the rebuttal expert disclosure deadline are necessary given that there is no operative complaint pending in this matter. To that end and subject to the Court's approval, the parties stipulate that: (1) the initial expert witness disclosure deadline shall be extended from May 20, 2011, to October 20, 2011; and (2) the rebuttal expert witness disclosure deadline shall be extended from June 20, 2011, to November 21, 2011.

DATED: May 6, 2011.

LAW OFFICES OF HOLLY S. BURGESS

By /s/ Holly S. Burgess
Holly S. Burgess
Attorneys for Plaintiff
Constance Solano

1 DATED: May 6, 2011.

BARRETT, DAFFIN, FRAPPIER, TREDIER &
WEISS, LLP

2
3 By /s/ Masumi Patel
Masumi Patel
4 Attorneys for Defendant
NDEX West, LLC
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6
7 DATED: May 6, 2011.


SEVERSON AND WERSON

8
9 By /s/ Joshua E. Whitehair
Joshua E. Whitehair
10 Attorneys for Defendant
Mortgage Electronic Registration Systems, Inc.,
11 Wells Fargo Bank, N.A. dba America's Servicing
Company, and U.S. Bank, N.A. dba Banc of
12 America Funding 2007-6 Trust
13

14 DATED: May 6, 2011.

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GARLAND E. BURRELL, JR.
United States District Judge