

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

NIALL P. McCARTHY (SBN 160175)  
nmccarthy@cpmlegal.com  
JUSTIN T. BERGER (SBN 250346)  
jberger@cpmlegal.com  
ERIC J. BUESCHER (SBN 271323)  
ebuescher@cpmlegal.com  
**COTCHETT, PITRE & McCARTHY, LLP**  
840 Malcolm Road  
Burlingame, CA 94010  
Telephone: (650) 697-6000  
Facsimile: (650) 692-3606

*Attorneys for Plaintiffs and the Class*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

**SHEILA GOODEN**, an individual; and  
**MICHELLE HALL**, an individual,

Plaintiffs,

v.

**SUNTRUST MORTGAGE, INC.**,  
a Virginia corporation,

Defendant.

Case No. 2:11-cv-02595-JAM-DAD

**STIPULATION AND REQUEST AND  
ORDER IN LIGHT OF SETTLEMENT**

**STIPULATION AND REQUEST; [PROPOSED] ORDER;** Case No. 2:11-cv-02595-JAM-DAD

1 **STIPULATION AND REQUEST**

2 Plaintiffs SHEILA GOODEN and MICHELLE HALL (“Plaintiffs”), and Defendant  
3 SUNTRUST MORTGAGE, INC., (“SunTrust”) have previously notified the Court that the  
4 parties have reached a settlement in principle.

5 On September 2, 2014, the Court extended the stay of this case, asking that the parties, by  
6 September 12, 2014, submit a statement informing the Court that the parties have successfully  
7 completed settlement, requesting a further stay, or proposed a schedule to proceed with litigation.  
8 *See* Dkt. No. 129.

9 The parties hereby notify the Court that they are still in the final stages of negotiating the  
10 settlement. The parties again assure the Court that substantial progress has been made in  
11 finalizing the documents needed to settle this case – with detailed deed in lieu documents having  
12 been delivered which are now being considered with the settlement agreement also in the final  
13 stages of review. The parties are now discussing final details of the settlement agreement and do  
14 not at this time anticipate that a further extension of the stay will be necessary. The parties  
15 therefore respectfully stipulate to and respectfully request that the Court enter an additional stay  
16 until September 30, 2014 so that these issues can be addressed.

17  
18 **IT IS SO STIPULATED.**

19 Respectfully Submitted,

20 Dated: September 12, 2014

**COTCHETT, PITRE & McCARTHY, LLP**

21  
22 By: /s/ Eric J. Buescher  
23 NIAL P. McCARTHY  
24 JUSTIN T. BERGER  
25 ERIC J. BUESCHER

*Attorneys for Plaintiffs*

26 Dated: September 12, 2014

**SEVERSON & WERSON**

27 By: /s/ Philip Barilovits  
28 PHILIP BARILOVITS

*Attorneys for Defendant*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Pursuant to the stipulation and request of the parties, and for good cause shown, the Court hereby extends the stay in this case until September 30, 2014. By September 23, 2014, the parties are to submit a statement informing the Court that the parties have successfully completed settlement, requesting a further stay, or propose a schedule to proceed with litigation.

**IT IS SO ORDERED.**

Dated: 9/15/2014

/s/ John A. Mendez  
THE HONORABLE JOHN A. MENDEZ