

1 SUSAN D. CONDON (State Bar No. 143417)
scondon@gcalaw.com
2 VALERIE M. WAGNER (State Bar No. 173146)
vwagner@gcalaw.com
3 GCA LAW PARTNERS LLP
2570 W. El Camino Real, Suite 510
4 Mountain View, CA 94043
Telephone: (650) 428-3900
5 Facsimile: (650) 428-3901

6 Attorneys for FEDERAL
7 DEPOSIT INSURANCE
CORPORATION as Receiver for
8 INDYMAC BANK, F.S.B.

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11 SACRAMENTO

12
13 FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for
14 INDYMAC BANK, F.S.B.,

15 Plaintiff,

16 vs.

17 RICHARD K. VARRASSO dba
Richard Varrasso and Associates and
18 AppraisalTrust.com, an individual;
PREMIER VALLEY, INC. dba
19 CENTURY 21 M&M ASSOCIATES, a
California corporation; and KAREN
20 BHATTI, an individual,

21 Defendants,

22 And Related Cross-Actions
23

Case No. CIV. 2:11-2628 WBS CKD

**STIPULATION AND PROPOSED
ORDER TO MODIFY
SCHEDULING ORDER**

Honorable William Shubb

Trial: March 25, 2014

24
25 **STIPULATION**

26 Pursuant to this Court's Order regarding the scheduling of the above-
27 referenced action, (Docket No. 88 dated January 31, 2013), the final pretrial
28 conference is scheduled for January 21, 2014 with a final pretrial statement due

1 on January 8, 2014, and the trial is scheduled for March 25, 2014. On October
2 22, 2013 (Docket No. 119), this Court agreed to extend the discovery deadline to
3 December 20, 2013 so that the parties could engage in settlement discussions.
4 On November 26, 2013, Plaintiff FDIC as Receiver for IndyMac Bank, F.S.A.
5 (“FDIC-R”) and Defendants Karen Bhatti, Premier Valley dba Century 21
6 M&M, Richard Varrasso, and Cross-Defendant Emmanuel Kim attended a
7 mediation conducted by Brad Benning. While the parties have not yet settled the
8 case, sufficient progress was made to schedule a second mediation on December
9 23, 2013.

10 In light of the foregoing, the Parties desire to again continue the discovery
11 deadline an additional 30 days to January 20, 2014 in order to allow the parties
12 to mediate on December 23, 2013 and complete discovery afterwards, if
13 necessary. Given that the final pretrial statement is due on January 7, 2014 and
14 the final pretrial conference is scheduled for February 21, 2014, the parties also
15 desire a continuance of the final pretrial conference an additional few weeks, to a
16 date available on the Court’s calendar. Should the Court find it necessary to
17 continue the trial a brief time, the parties are likewise amenable.

18 Therefore, the parties¹ hereby stipulate and respectfully seek leave of
19 Court to continue the deadline to complete discovery to January 20, 2014, to
20 allow the parties to mediate the case and complete discovery as necessary, as
21 well as continue the final pretrial conference.

22 **IT IS SO STIPULATED.**

23
24 DATED: December 4, 2013

GCA LAW PARTNERS LLP

25
26 By: /s/ Susan Condon

27
28 ¹ We are advised by the husband of Cross-Defendant Sophie Reisiyannejad that she remains out of the country and therefore is not available to stipulate. Further, Defendant Josie Rich has filed a notice of bankruptcy and therefore she has not been party to the settlement discussions or this stipulation.

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

SUSAN CONDON
Attorney for Plaintiff FEDERAL
DEPOSIT INSURANCE
CORPORATION as RECEIVER for
INDYMAC BANK, F.S.B.

DATED: December 4, 2013

TRIEBSCH & FRAMPTON

By: /s/ Cory B. Chartrand
CORY B. CHARTRAND

Attorneys for Defendants, PREMIER
VALLEY, INC., DBA CENTURY
21 M&M AND ASSOCIATES, and
KAREN BHATTI
(as Authorized on December 3, 2013)

DATED: December 4, 2013

Richard Varrasso

By: /s/ Richard Varrasso
Appearing Pro Se

(as Authorized on December 3, 2013)

DATED: December 4, 2013

By: /s/ Emmanuel Kim
Appearing Pro Se

(as Authorized on December 3, 2013)

DATED:

SOPHIE REISIYANNEJAD

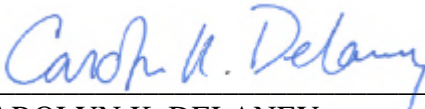
By: Please see Footnote 1
Appearing Pro Se

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Court hereby grants the parties' request to continue the deadline to complete discovery to January 20, 2014, to allow the parties to mediate the case and complete discovery as necessary.

1 The parties are advised, however, that the pretrial conference date
2 cannot be continued in the absence of a continuation of the trial date. A
3 separate request must be made to the District Judge assigned to this action
4 should the parties desire a continuance of the final pretrial conference.

5
6 Dated: December 9, 2013

7 
8 _____
9 CAROLYN K. DELANEY
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28