

1 Stephen C. Ruehmann, Esq. (167533)  
 2 *steve@ruehmannlawfirm.com*  
 3 Robin D. Shofner, Esq. (272552)  
 4 *robin@ruehmannlawfirm.com*  
 5 RUEHMANN LAW FIRM, P.C.  
 6 9580 Oak Avenue Parkway, Suite 15  
 Folsom, California 95630  
 Tel: (916) 988-8001  
 Fax: (916) 988-8002

**FILED**

APR 16 2013

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY \_\_\_\_\_  
DEPUTY CLERK

7 Attorneys for Plaintiffs  
 8 THOMAS A. WEBER and  
 BELINDA G. WEBER

10 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
 11 **SACRAMENTO DIVISION**

13 THOMAS A. WEBER and BELINDA G. 14 WEBER,	) Case No.: 2:13-cv-00298-TLN-CKD )
15 Plaintiffs,	) <b>STIPULATION FOR FILING OF AMENDED 16 COMPLAINT; [PROPOSED] ORDER</b> )
17 v.	) )
18 PNC BANK, N.A.; HSBC BANK, U.S.A., 19 N.A.; and DOES 1 to 100, inclusive,	) )
20 Defendants.	) Removed: February 15, 2103 ) ) )

**JOINT STIPULATION**

24 Plaintiffs THOMAS A. WEBER and BELINDA G. WEBER (collectively "Plaintiffs")  
 25 and Defendants PNC BANK, N.A. and HSBC BANK U.S.A., N.A. as Trustee for Luminent  
 26 Mortgage Trust 2007-2 ("Defendants"), (collectively "Parties") by and through their counsel of  
 27 record, hereby stipulate as follows:

28 1. Plaintiffs filed their Complaint on January 14, 2013, in Placer County Superior Court,

1 Case No.: SCV0032361;

2 2. The underlying issue of this action is the potential foreclosure of the subject property  
3 located at 8972 Bronson Drive, Granite Bay, California 95746 (the "Subject Property").

4 3. On February 15, 2013, Defendants filed a Notice of Removal of Action with the  
5 United States District Court, Eastern District of California (Sacramento Division) and the above-  
6 mentioned case was assigned Case No.: 2:13-cv-00298-GEB-CKD.

7 4. On February 27, 2013 Defendants filed a Motion to Dismiss Plaintiffs' Complaint to  
8 be heard April 8, 2013.

9 5. Parties agree by and between their respective attorneys of record that Plaintiff may  
10 file an Amended Complaint.

11 6. This stipulation will not result in prejudice to any party and its impact on judicial  
12 proceedings is not expected to be significant.

13 7. Nothing in this stipulation shall constitute a waiver of any arguments or defenses that  
14 Plaintiffs or Defendants may wish to assert in their pleadings, all of which are expressly  
15 reserved.

16 IT IS HEREBY STIPULATED by and between the parties hereto through their  
17 respective attorneys of record that Plaintiff may file an Amended Complaint, a copy of which is  
18 attached hereto as **Exhibit 1**, within five (5) days of the Court's Order concerning the same.

19 IT IS SO STIPULATED.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 Dated: April 4, 2013

RUEHMANN LAW FIRM, P.C.

2  
3 /s/ Stephen C. Ruehmann

4 Stephen C. Ruehmann, Esq.

5 Robin D. Shofner, Esq.

6 Attorneys for Plaintiffs

THOMAS A. WEBER and BELINDA G. WEBER

7  
8 Dated: April 4, 2013

WOLFE & WYMAN LLP

9  
10 /s/ Heather S. Kim

11 Brian H. Gunn, Esq.

12 Andrew A. Bao, Esq.

13 Heather S. Kim, Esq.

14 Attorneys for Defendant

15 PNC BANK, N.A., and HSBC BANK, U.S.A.,

16 N.A.; as Trustee for Luminant Mortgage Trust

17 2007-2 (erroneously sued as "HSBC BANK,

U.S.A., N.A.")

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

[PROPOSED] ORDER

The Court having considered the foregoing stipulation, and good cause appearing,

IT IS HEREBY ORDERED that:

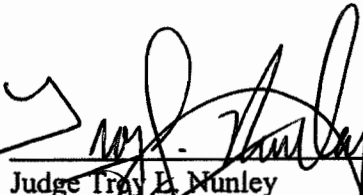
Plaintiff may file an Amended Complaint, a copy of which is attached hereto as

**Exhibit 1**, within five (5) days of this Order.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

4/16/13



Judge Tray E. Nunley

U.S. DISTRICT COURT,

EASTERN DISTRICT OF CALIFORNIA