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6 **Attorneys for Defendants**  
**PNC BANK, N.A. and HSBC BANK U.S.A., N.A.,**  
 7 **as Trustee for Luminant Mortgage Trust 2007-2**  
 (sued erroneously as “HSBC BANK, U.S.A., N.A.”)  
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9 **UNITED STATES DISTRICT COURT**  
 10 **EASTERN DISTRICT OF CALIFORNIA**  
 11 **SACRAMENTO DIVISION**

12 THOMAS A. WEBER and BELINDA G. WEBER,

13 Plaintiffs,

14 v.

15 PNC BANK, N.A.; HSBC BANK, U.S.A., N.A.;  
 and DOES 1 to 100, inclusive,

16 Defendants.  
 17

Case No.: 2:13-cv-00298 TLN CKD

**STIPULATION AND ORDER TO  
 CONTINUE DISCOVERY DEADLINES**

Current Discovery Cutoff Date: 11/5/2015  
 Proposed Discovery Cutoff Date:

Hon. Troy L. Nunley

18 Pursuant to Federal Rules of Civil Procedure, Rule 16(b)(4) and the U.S. District Court,  
 19 Eastern District of California, Local Civil Rule 83-143, Defendants PNC BANK, N.A. (“PNC”) and  
 20 HSBC BANK U.S.A., N.A., as Trustee for Luminant Mortgage Trust 2007-2 (sued erroneously as  
 21 “HSBC BANK, U.S.A., N.A.” (“HSBC”) and Plaintiff THOMAS A. WEBER (“Plaintiff”)  
 22 (collectively, the “Parties”) herein stipulate for a continuance of discovery deadlines in the above-  
 23 referenced action.

24 **RECITALS**

- 25 1. Trial in this matter is currently set for October 17, 2016, and the last day to complete  
 26 discovery is November 5, 2015.
- 27 2. The Parties agree that a continuance of the discovery cutoff date in the best interest of  
 28 justice of all parties because:

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A. The Parties continue to explore potential settlement options following the death of Plaintiff Belinda Weber, including but not limited to, a loan modification review;

B. However, the Parties require additional time in order to submit a loan modification application and to review said loan modification application;

C. There are currently no other parties involved in this litigation, and thus no parties will be prejudiced by the terms of this stipulation;

D. The Parties had previously requested a trial continuance on July 22, 2014, at which time the pleadings were not at issue and contained new allegations and claims, necessitating additional time to conduct discovery.

E. The Court had previously granted the trial continuance, and set the new trial for October 17, 2016. This stipulation does not continue the trial date, or any other trial-related deadlines besides the discovery deadlines.

3. Thus, good cause exists for a continuance of the discovery deadlines in this action.

4. Whereas, the Parties request a continuance of the following deadlines:

**February 5, 2016** Last Day to Complete Discovery and;

**March 5, 2016** Last Day for Disclosure of Expert Witness

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1           **NOW THEREFORE**, THE PARTIES HERE STIPULATE TO THE FOREGOING, subject  
2 to this Court's approval.

3  
4 DATED: September 8, 2015

MOLSBY & BORDNER, LLP

6 By: /s/ Robin D. Shofner (w/authorization)

7 ROBIN D. SHOFNER

8 **Attorneys for Plaintiffs**

**THOMAS A. WEBER and BELINDA G. WEBER**

9 DATED: September 8, 2015

WOLFE & WYMAN LLP

11 By: /s/ Meagan S. Tom (SBN 273489)

12 ANDREW A. BAO

13 MEAGAN S. TOM

14 **Attorneys for Defendants**

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

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22 **ORDER**

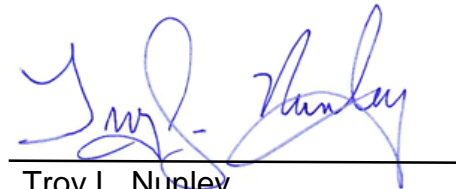
23 The Court, having reviewed the Stipulation and Proposed Order to Continue Discovery  
24 Deadlines, and good cause appearing therefore, makes the following Order:

25 The discovery deadline date is continued from November 5, 2015 to February 5, 2016.

26 The disclosure of expert witness deadline date is continued from January 7, 2016 to March 4,  
27 2016.

28 IT IS SO ORDERED.

Dated: September 11, 2015



Troy L. Nunley

United States District Judge