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12 Attorneys for Defendants
Ocwen Financial Corporation
13 and Ocwen Loan Servicing, LLC

14 **UNITED STATES DISTRICT COURT**
15 **EASTERN DISTRICT OF CALIFORNIA**

16
17 DAVID WEINER, individually, and on
behalf of other members of the public
18 similarly situated,

19 Plaintiff,

20 v.

21 OCWEN FINANCIAL
22 CORPORATION, a Florida corporation,
and OCWEN LOAN SERVICING,
23 LLC, a Delaware limited liability
company,
24

25 Defendants.

No. 2:14-cv-02597-MCE-DB

**JOINT STIPULATED
REQUEST TO CONTINUE
HEARING DATE ON
PLAINTIFF'S AMENDED
MOTION TO COMPEL
AND ORDER**

1 WHEREAS, pursuant to the Court’s order filed February 13, 2018 (Dkt.
2 114), the date for the hearing regarding Plaintiff’s Amended Motion to Compel,
3 originally scheduled for February 16, 2018 was continued to March 9, 2018 at
4 10:00 a.m.;

5 WHEREAS, counsel for Defendants contends that due to preexisting
6 commitments, the attorneys representing Defendant are not available to attend the
7 hearing on March 9, 2018;

8 WHEREAS, counsel for Defendants contends that Elizabeth McKeen is not
9 available because she will be arguing a motion to dismiss in another matter on
10 March 9, 2018;

11 WHEREAS, counsel for Defendants contends that Catalina Vergara is not
12 available because she will be out of town for another matter on March 9, 2018;

13 WHEREAS, counsel for Defendants contends that Jim Bowman is not
14 available because he will be out of town for another matter on March 9, 2018;

15 WHEREAS, the parties have continued to exchange written communications
16 and met and conferred by phone in an attempt to resolve the issues at the center of
17 Plaintiff’s amended motion, but determined on March 1, 2018 that the dispute could
18 not be resolved, rendering this hearing necessary;

19 WHEREAS, the parties have met and conferred and agreed that a short
20 continuance of the hearing on Plaintiff’s amended motion is appropriate given the
21 above-mentioned conflicts;

22 WHEREAS, counsel for Defendants contend that they confirmed with the
23 Court’s deputy on March 2, 2018 that the Court has an open hearing date on March
24 23, 2018;

25 WHEREAS, Plaintiff is agreeable to Defendants’ requested continuance to
26 March 23, but only if the Court is available then. Alternatively, Plaintiff’s counsel
27 is available on March 16.

28 NOW THEREFORE, the parties stipulate and agree as follows:

1 1. The March 9, 2018 hearing regarding Plaintiff's Amended Motion to
2 Compel will be continued to March 23, 2018 at 10:00 a.m.

3 Dated: March 2, 2018

4 ELIZABETH L. MCKEEN
5 JAMES A. BOWMAN
6 CATALINA J. VERGARA
7 O'MELVENY & MYERS LLP

8 By: /s/ Catalina J. Vergara
9 Catalina J. Vergara
10 Attorneys for Defendants
11 Ocwen Financial Corporation and
12 Ocwen Loan Servicing, LLC

13 BARON & BUDD, P.C.

14 By: /s/ Mark Pifko
15 Mark Pifko
16 (as authorized on 3/2/2018)

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 Attorneys for Plaintiff
 DAVID WEINER, individually, and on
 behalf of other members of the general
 public similarly situated


ORDER

IT IS HEREBY ORDERED that:

1. Pursuant to the parties' stipulation, (ECF No. 116), the March 9, 2018 hearing of the plaintiff's amended motion to compel is continued to March 23, 2018; and

2. On or before March 16, 2018, the parties shall file an updated joint statement re discovery disagreement reflecting additional meet and confer efforts.

Dated: March 6, 2018



DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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