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16 IN THE UNITED STATES DISTRICT COURT
 17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18 RIBEIRO-SUNGLLOW, LLC, a Nevada Limited
 Liability Company; and RIBEIRO CALIFORNIA
 19 II, LLC, a Nevada Limited Liability Company,
 20 Plaintiffs,
 21 v.
 22 UMPQUA BANK, a Bank Organized Under the
 Laws of the State of Oregon,
 23 Defendant.
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Case No.: 2:15-cv-01853-JAM-AC
**STIPULATION FOR ORDER TO MODIFY
 PRE-TRIAL SCHEDULING ORDER;
 ORDER
 [FRCP 16(B)(4)]**

THE HONORABLE JOHN A. MENDEZ

25 Plaintiffs RIBEIRO-SUNGLLOW, LLC, a Nevada Limited Liability Company, and RIBEIRO
 26 CALIFORNIA II, LLC, a Nevada Limited Liability Company, and defendant UMPQUA BANK, by and
 27 through their respective undersigned counsel respectfully submit the following Stipulation for Order to
 28 Modify Pre-Trial Scheduling Order and [Proposed] Order pursuant to FRCP 16(b)(4). For good cause as

1 shown herein, the parties seek an extension of at least 150-days of all remaining deadlines set forth in the
2 Pre-Trial Scheduling Order as delineated, *infra*.

3 WHEREAS, Plaintiffs filed this action to obtain recovery of two parcels of real property situated
4 in El Dorado Hills, California, from Defendant;

5 WHEREAS, Defendant holds title to the two parcels pursuant to a purchase at a trustee's sale held
6 on or about August 15, 2011;

7 WHEREAS, the parties dispute the lawfulness and validity of the trustee's sale which resulted in
8 the transfer of title in the two parcels to Defendant;

9 WHEREAS, Defendant filed a cross-complaint to quiet title in the two parcels to itself;

10 WHEREAS, the Court issued a Pre-Trial Scheduling Order on December 7, 2015;

11 WHEREAS, this case involves complex real estate title issues which bear upon multiple properties
12 and involve varied issues and interests;

13 WHEREAS, Johnny R. Ribeiro is a principal owner in RIBEIRO-SUNGLOW, LLC;

14 WHEREAS, UMPQUA BANK brought a prior arbitration action against Johnny R. Ribeiro, in his
15 individual capacity and as trustee of the Johnny R. Ribeiro Separate Trust, for breach of contract and for
16 monies had and received pursuant to Johnny R. Ribeiro's personal guarantee of two real estate loans made
17 to Ribeiro-Commerce, LLC, RIBEIRO-SUNGLOW, LLC, and RIBEIRO CALIFORNIA II, LLC, in
18 which UMPQUA BANK obtained a judgment in the amount of \$7,417,564.42;

19 WHEREAS, the arbitration judgment was entered in the District Court of Clark County, Nevada
20 on November 15, 2013;

21 WHEREAS, the parties are attempting to negotiate a global resolution of this case and the prior
22 judgment;

23 WHEREAS, the parties convened for a settlement meeting on September 7, 2016, and agreed to
24 diligently pursue global resolution of both matters;

25 WHEREAS, the success of the agreed plan for global resolution hinges upon unraveling highly
26 complex title issues, procuring the cooperation of Fidelity National Title Company to voluntarily correct
27 title errors it made in 2008, performing a thorough examination of Johnny R. Ribeiro's exceedingly
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1 complex financial affairs, and obtaining approval of a proposed global resolution through multiple levels
2 of UMPQUA BANK hierarchy;

3 WHEREAS, the time required for performance of the tasks necessary to successfully effectuate a
4 global resolution exceeds the time allotted under the terms of the Pre-Trial Scheduling Order;

5 WHEREAS, a global resolution would not only resolve this litigation, but would also obviate the
6 need for further litigation in the future;

7 WHEREAS, good cause exists, the parties seek an order modifying the remaining dates set forth in
8 the Pre-Trial Scheduling Order as follows:

9	Event	Current Date	New Date
10	Disclosure of Expert Witnesses	Sep. 16, 2016	Feb. 13, 2017
11	Supplemental Expert Disclosure	Sep. 23, 2016	Feb. 27, 2017
12	L/D to File Joint Mid-Litigation Statement	Sep. 23, 2016	Feb. 27, 2017
13	All Discovery to be Completed	Oct. 7, 2016	Mar. 6, 2017
14	All Dispositive Motions to Be Filed	Nov. 15, 2016	Apr. 18, 2017
15	Date for Hearing on all Dispositive Motions	Dec. 13, 2016 (1:30 p.m.)	May 16, 2017 (1:30 p.m.)
16	L/D to File Joint Pretrial Statement	Jan. 27, 2017	Jun. 30, 2017
17	Final Pre-Trial Conference	Feb. 3, 2017 (10:00 a.m.)	Jul. 7, 2017 (10:00 a.m.)
18	Court Trial	Mar. 27, 2017	Aug. 28, 2017 (9:00 a.m.)

19 Dated: September 9, 2016

BANKS & WATSON

20 By: /s/ James J. Banks
21 JAMES J. BANKS,
22 Attorneys for Plaintiffs
RIBEIRO-SUNGLow, LLC, and
RIBEIRO CALIFORNIA II, LLC

23 Dated: September 9, 2016

KRAFT OPICH, LLP

24 By: /s/ John McCardle
25 DOUGLAS H. KRAFT,
26 Attorneys for Defendant UMPQUA BANK
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ORDER (AS MODIFIED BY THE COURT)

GOOD CAUSE appearing therefore, SO ORDERED.

DATED: 9/12/2016

/s/ John A. Mendez
JOHN A. MENDEZ
United States District Court Judge