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Terrence M. Jones (SBN 256603)  
JonesTM@ballardspahr.com  
Taylor Steinbacher (SBN 285335)  
steinbachert@ballardspahr.com  
BALLARD SPAHR LLP  
2029 Century Park East, Suite 800  
Los Angeles, CA 90067-2909  
Telephone: 424.204.4340  
Facsimile: 424.204.4350

Of Counsel:  
Martin C. Bryce, Jr. (*Pro Hac Vice*)  
bryce@ballardspahr.com  
BALLARD SPAHR LLP  
1735 Market Street, 51<sup>st</sup> Floor  
Philadelphia, PA 19103  
Telephone: 215.864.8238  
Facsimile: 215.864.8999

Attorneys for Defendants  
Alliance Data Systems Corporation  
and Comenity Bank F/K/A World  
Financial Network National Bank

Ballard Spahr LLP  
2029 Century Park East, Suite 800  
Los Angeles, CA 90067-2909  
Telephone: 424.204.4400

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

THE PEOPLE OF THE STATE OF  
CALIFORNIA EX REL., ERIC L. HERYFORD  
DISTRICT ATTORNEY, TRINITY COUNTY,

Plaintiff,

v.

ALLIANCE DATA SYSTEMS  
CORPORATION, COMENITY BANK F/K/A  
WORLD FINANCIAL NETWORK  
NATIONAL BANK, AND DOES I-XX,

Defendants.

Case No. 2:15-CV-02343-TLN-EFB

**STIPULATION TO EXTEND TIME FOR  
PLAINTIFF TO FILE AMENDED  
COMPLAINT AND FOR DEFENDANTS'  
RESPONSE THERETO**

1 Plaintiff, the People of the State of California ex rel. Eric L. Heryford, District Attorney,  
2 Trinity County (“Plaintiff”) and Defendants Alliance Data Systems Corporation and Comenity  
3 Bank f/k/a World Financial Network National Bank (collectively, “Defendants”), by an through  
4 their attorneys of record, hereby agree and stipulate as follows:

5 WHEREAS, on September 28, 2015, Plaintiff filed his Complaint in the Superior Court of  
6 the State of California, Trinity County, naming Alliance Data Systems Corporation and Comenity  
7 Bank f/k/a World Financial Network National Bank, among others, as Defendants;

8 WHEREAS, on October 12, 2015, Defendants were served with the Complaint;

9 WHEREAS, on November 11, 2015, Defendants filed a Notice of Removal in this Court,  
10 removing the action from the Superior Court;

11 WHEREAS, Plaintiff filed his Motion to Remand this case to the Trinity County Superior  
12 Court on December 11, 2015;

13 WHEREAS, on January 7, 2016, the Court approved the parties’ Stipulation providing that  
14 Defendants would have ten (10) days from the Court's decision on the Motion to Remand within  
15 which to respond to the Complaint assuming this matter had not been remanded;

16 WHEREAS, on January 20, 2016, Plaintiff filed his Notice of Withdrawal of Motion to  
17 Remand which withdrew the Remand Motion and stated an intent to amend the Complaint;

18 WHEREAS, the parties agree that it would be advantageous for Plaintiff to first amend his  
19 Complaint before Defendants file their responsive pleading;

20 WHEREAS, Plaintiff is amenable to filing his Amended Complaint on or before  
21 February 5, 2016;

22 WHEREAS, Defendants are amendable to filing their response to the Amended Complaint  
23 on or before February 26, 2016 and this stipulation is made without prejudice to that response;

24 WHEREAS, no trial date has been set in this matter than there is no prejudice occasioned  
25 by allowing Defendants to file their responsive pleading after the filing of the Amended  
26 Complaint;

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1 ACCORDINGLY, the parties hereby stipulate that Plaintiff shall file his Amended  
2 Complaint on or before February 5, 2016 and Defendants shall file their response thereto on or  
3 before February 26, 2016.

4 **IT IS SO STIPULATED.**

5  
6 DATED: January 29, 2016

Terrence M. Jones  
Taylor Steinbacher  
Martin C. Bryce, Jr.  
BALLARD SPAHR LLP

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8  
9 By: /s/ Taylor Steinbacher  
Taylor Steinbacher

10 Attorneys for Defendants Alliance Data  
11 Systems Corporation and Comenity Bank f/k/a  
12 World Financial Network National Bank

13 DATED: January 29, 2016

Eric L. Heryford  
Trinity County District Attorney

14  
15 By: /s/ Eric L. Heryford (as authorized on  
16 01/29/2016)  
Eric L. Heryford

17 Trinity County District Attorney  
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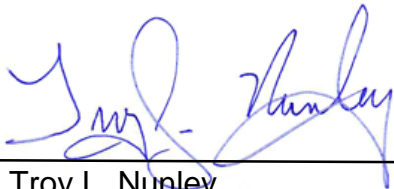
**ORDER**

Based upon the foregoing stipulation of the parties, and good cause appearing, it is hereby ORDERED that:

1. Plaintiff shall file his Amended Complaint on or before February 5, 2016; and
2. Defendants shall file their responsive pleading on or before February 26, 2016.

**IT IS SO ORDERED.**

Dated: February 1, 2016



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Troy L. Nunley  
United States District Judge