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15 **Attorneys for Plaintiffs**
16 *(Additional counsel listed on signature page)*

17 **UNITED STATES DISTRICT COURT**
18 **EASTERN DISTRICT OF CALIFORNIA**
19 **SACRAMENTO DIVISION**

20 EUGENIO AND ROSA CONTRERAS,
21 WILLIAM PHILLIPS, TERESA BARNEY,
22 KEITH AND TERESA MARCEL, SHERLIE
23 CHARLOT, and JENNIE MILLER, on behalf
24 of themselves and all others similarly situated,

25 Plaintiffs,

26 v.

27 NATIONSTAR MORTGAGE LLC, a Delaware
28 Limited Liability Company; SOLUTIONSTAR
HOLDINGS LLC (N/K/A XOME HOLDINGS
LLC), a Delaware Limited Liability Company;
and SOLUTIONSTAR FIELD SERVICES
LLC, a Delaware Limited Liability Company,

Defendants.

No. 2:16-cv-00302-MCE-JDP

**STIPULATED MOTION TO STAY
DISCOVERY AND EXTEND CASE
DEADLINES IN LIGHT OF PENDING
MEDIATION AND ORDER**

Action Filed: February 12, 2016

Trial Date: TBD

1 Plaintiffs Eugenio and Rosa Contreras, William Phillips, Teresa Barney, Keith and Teresa
2 Marcel, Sherlie Charlot, and Jennie Miller, on behalf of themselves and all others similarly situated
3 (“Plaintiffs”) and Defendants Nationstar Mortgage LLC, Solutionstar Holdings LLC (n/k/a Xome
4 Holdings LLC), and Solutionstar Field Services LLC (collectively “Nationstar”) (together, the
5 “Parties”) by and through their respective counsel of record, hereby submit this Stipulated Motion To
6 Stay Discovery and Extend Case Deadlines in Light of Pending Mediation as set forth below.

7 Pursuant to the Parties’ Joint Report Under Rule 26 of the Federal Rules of Civil Procedure,
8 November 17, 2017, ECF No. 30, § XI, the parties have determined that while class certification
9 briefing is ongoing, settlement discussions are again appropriate and timely. In order to facilitate a
10 resolution of the matter, they have again engaged the services of a JAMS mediator. The Hon. Read
11 Ambler (Ret.) is available to assist the parties in working to resolve this matter during January of 2022.
12 The parties are presently scheduled to conduct a mediation with Hon. Ambler on Wednesday, January
13 26, 2022 in San Francisco, California.

14 To avoid incurring the costs of additional class certification briefing and fact and expert
15 discovery while simultaneously engaging in settlement negotiations, the parties respectfully request
16 that the Court stay all discovery in the case, other than discovery needed to mediate the case.
17 Following conclusion of the mediation process, the parties will promptly file a notice with the Court
18 informing it of the outcome and either request a schedule for filing settlement papers or an order
19 resuming discovery.

20 To make up for the time spent choosing a mediator, preparing for and participating in initial
21 meetings with the mediator, and conducting the mediation itself, the parties request that the case
22 deadlines for class certification reply briefing and fact and expert discovery be extended by
23 approximately two months from the dates contained in the Stipulated Motion to Set New Discovery
24 Deadlines (ECF No. 129).

25 This Stipulation is the eleventh extension of certain deadlines on the case schedule and is made
26 with good cause and without prejudice to, or waiver of, any rights or defenses otherwise available to
27 the Parties in this action. The Parties therefore respectfully request that the Court grant this Stipulated
28

1 Motion to stay all discovery in the case except for discovery necessary to complete the mediation, and
2 extend all briefing and fact and expert discovery deadlines by two months from the dates contained in
3 the prior Stipulated Motion as follows:

Event	Current Deadlines	Proposed Extended Deadlines
Plaintiffs' Reply in Support of Motion for Class Certification	01/12/2022 ¹	03/09/2022
Class Certification Expert Discovery Cutoff	01/22/2022	03/24/2022
Merits Discovery Cutoff	04/22/2022	06/24/2022
Disclosure of Expert Witnesses and Information Required by Rule 26(a)(2)	05/25/2022	07/27/2022
Rebuttal Expert Reports	07/01/2022	09/02/2022
Expert Discovery Cutoff	08/08/2022	10/10/2022
Deadline for Parties to File Dispositive Motions	09/02/2022	11/04/2022
Deadline for Parties to File Motions in <i>Limine</i>	Set by Court once trial date is set	Set by Court once trial date is set
Final Pretrial Conference	Set by Court once trial date is set	Set by Court once trial date is set
Trial Date	Set by Court once trial date is set	Set by Court once trial date is set

19 DATED this 21st day of December 2021.

21 By /s/ Laura R. Gerber

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27 ¹ The briefing deadline for Plaintiffs' Reply in Support of Motion for Class Certification was previously
28 extended by fourteen days per the Stipulation and Order entered December 3, 2021. ECF No. 142.

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14 *Attorneys for Plaintiffs*

15 DATED this 21st day of December 2021.

16 By /s/ Mary Kate Sullivan

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Attorneys for Defendants

ATTESTATION REGARDING SIGNATURES

I, Laura R. Gerber, attest that all signatories listed, and on whose behalf the filing is submitted,
concur in the filing's content and have authorized the filing.

DATED: December 27, 2021

/s/ Laura R. Gerber

Laura R. Gerber

1 **ORDER**

2 Pursuant to the stipulation of the parties, discovery and all existing dates in this case are
3 VACATED pending completion of the parties' participation in voluntary mediation. The pending
4 Motion to Certify Class (ECF No. 133) is DENIED without prejudice to renewal, if appropriate, once
5 those proceedings have concluded. Not later than February 1, 2022, the parties are directed to file a
6 Joint Status Report with the Court advising as to the status of the mediation and, should it be necessary,
7 proposing new dates for the remaining deadlines.

8 IT IS SO ORDERED.

9
10 Dated: December 27, 2021

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12 _____
13 MORRISON C. ENGLAND, JR.
14 SENIOR UNITED STATES DISTRICT JUDGE
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