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10 Attorneys for Defendant
 11 SELECT PORTFOLIO SERVICING, INC.

12 UNITED STATES DISTRICT COURT
 13 EASTERN DISTRICT OF CALIFORNIA
 14 SACRAMENTO DIVISION

15 CHARLES HAWKINS, an individual; and
 16 ODESSER H. HAWKINS, an individual,

17 Plaintiffs,

18 v.

19 BANK OF AMERICA N.A., a business entity;
 20 SELECT PORTFOLIO SERVICING, INC., a
 21 business entity; and DOES 1-50 inclusive,

22 Defendants.

Case No. 2:16-cv-00827-MCE-CKD

**STIPULATED REQUEST TO MODIFY
 INITIAL PRETRIAL SCHEDULING
 ORDER; ORDER THEREON**

(Sacramento Superior Court Case No. 34-
 2016-00191260)

Action Filed: March 4, 2016

1 TO THE COURT, ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:

2 Plaintiffs Charles Hawkins and Odesser H. Hawkins (collectively, "Plaintiffs") and
3 Defendant Select Portfolio Servicing, Inc. ("SPS") and Defendant Bank of America, N.A., by and
4 through their counsel of record, hereby recite and stipulate, subject to the Court's approval as
5 provided for herein, as follows:

6 RECITALS

7 1. On March 4, 2016, Plaintiffs filed this action in the Sacramento County Superior
8 Court. ECF No. 1 On April 21, 2016, SPS removed this action to this Court. *Id.*

9 2. On April 21, 2016, the Court issued an Initial Case Management Scheduling
10 Order. ECF No. 2. The following deadlines apply pursuant to this Order:

- 11 a. March 6, 2017 deadline to complete fact discovery;
12 b. May 5, 2017 deadline to designate expert witnesses; and
13 c. September 1, 2017 deadline to file dispositive motions.

14 3. On May 5, 2016, SPS filed its Motion to Dismiss. ECF No. 8.

15 4. On December 19, 2016, Bank of America filed its Answer to Plaintiffs'
16 Complaint. ECF No. 16.

17 5. On February 14, 2017, the Court entered its Order denying SPS' Motion to
18 Dismiss.

19 6. The parties submit that good cause exists to continue for 60-days the March 6,
20 2017 deadline to complete fact discovery because, in an effort to limit costs and to litigate this
21 action in the most efficient means possible, the Parties had delayed engaging in certain fact
22 discovery while the Court was considering SPS' Motion to Dismiss.

23 7. Neither party has previously submitted a request to continue any dates in the Initial
24 Pretrial Scheduling Order.

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STIPULATIONS

The Parties stipulate to a 60-day continuance of the March 6, 2017 fact discovery deadline. The Parties also note that continuing the fact discovery deadline will also continue other relevant dates tied to the fact discovery deadline.

Plaintiffs and Defendants so stipulate.

DATED: February 15, 2017

STOEL RIVES LLP

By: /s/ Bryan L. Hawkins
THOMAS A. WOODS
BRYAN L. HAWKINS
Attorneys for Defendant
SELECT PORTFOLIO SERVICING, INC.

DATED: February 15, 2017

LOUIS AND WHITE, PC

By: /s Andrey R. Yurtsan (as authorized on 2/14/2017)
ANDREY R. YURTSAN
Attorneys for Plaintiffs
CHARLES HAWKINS and ODESSER H. HAWKINS

DATED: February 15, 2017

MCGUIRE WOODS, LLP

By: /s Alison V. Lipa (as authorized on 2/14/2017)
ALISON V. LIPPA
Attorneys for Defendant
BANK OF AMERICA, N.A.


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ORDER

Pursuant to the terms of the foregoing stipulation, the Court extends the fact discovery deadline 60-days: from March 6, 2017 to May 5, 2017. All other related deadlines in the Initial Case Management Scheduling Order will be based on this extended date.

IT IS SO ORDERED.

Dated: February 22, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE