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5 Attorneys for Defendant
 6 MTC FINANCIAL INC. dba TRUSTEE CORPS
 (erroneously named herein as TRUSTEE CORPS)
 7

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11 TIMOTHY J. PELLEGRINI and
 LORIBETH B. PELLIGRINI,

12 Plaintiffs,

13 v.

14 JP MORGAN CHASE BANK, N.A.;
 15 DEUTSCHE BANK NATIONAL
 TRUST COMPANY, AS TRUSTEE
 16 FOR WAMU MORTGAGE PASS-
 THROUGH CERTIFICATES SERIES
 17 2003-AR8;TRUSTEE CORPS,
 business form unknown; and
 18 AND DOES 1 through 50, inclusive

19 Defendants.

Case No. 2:16-cv-02214-JAM-KJN

**STIPULATION OF DEFENDANT
 MTC FINANCIAL INC. dba
 TRUSTEE CORPS AND
 PLAINTIFFS TO EXTEND TIME
 TO RESPOND TO COMPLAINT
 TO DATE AFTER HEARING OF
 PLAINTIFFS' RE-FILED
 MOTION TO REMAND; ORDER**

Complaint Filed: 07/15/16
 Trial Date: None

20
 21 WHEREAS, Plaintiffs Timothy J. Pellegrini and Loribeth B. Pellegrini
 22 (collectively, "Plaintiffs") filed their operative Complaint ("Complaint") on July 15,
 23 2016 in the Superior Court of the State of California in and for the County of
 24 Sacramento.

25 WHEREAS, Plaintiffs served the Complaint on September 15, 2016 on
 26 Defendant MTC Financial Inc. dba Trustee Corps ("Trustee Corps").

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1 WHEREAS, on September 16, 2016, Defendants JPMorgan Chase Bank,
2 N.A. and Deutsche Bank National Trust Company as Trustee for WaMu Mortgage
3 Pass-Through Certificates Series 2003-AR8 (collectively, “JPMorgan Defendants”)
4 filed a Notice of Removal (Doc. #1) removed this case from the Sacramento
5 Superior Court to this United States District Court in and for the Eastern District of
6 California.

7 WHEREAS, on or about October 17, 2016, Plaintiffs filed a Motion to
8 Remand (Doc. #6) (“Motion to Remand”) requesting that the case be remanded
9 back to Sacramento Superior Court, with the Motion to Remand being set for
10 hearing in this Court on December 13, 2016, at 1:30 p.m.

11 WHEREAS, on or about October 19, 2016, Plaintiffs and Trustee Corps filed
12 a Stipulation (Doc. #9) pursuant to L.R. 144(a) to automatically extend the time by
13 28-days for Trustee Corps to file a responsive pleading to the Complaint by
14 November 3, 2016.

15 WHEREAS, on or about November 1, 2016, Plaintiffs and Trustee Corps
16 filed a Stipulation and proposed Order (Doc. #10) to automatically extend the time
17 for Trustee Corps to file a responsive pleading to the Complaint to December 20,
18 2016, being seven days after the hearing of the Motion to Remand.

19 WHEREAS, on or about November 2, 2016, the Court granted Plaintiffs and
20 Trustee Corps’ Stipulation and signed the proposed Order (Doc. #11).

21 WHEREAS, on or about November 29, 2016, the Court dismissed without
22 prejudice the Motion to Remand and vacated the December 13, 2016 hearing (Doc.
23 #14).

24 WHEREAS, today, Plaintiffs are concurrently re-filing their Motion to
25 Remand, which will be heard on February 7, 2017.

26 WHEREAS, Trustee Corps intends to file a Motion to Dismiss the
27 Complaint.

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1 WHEREAS, if the re-filed Motion to Remand is granted, Trustee Corps'
2 Motion to Dismiss may be rendered moot before it is heard.

3 WHEREAS, in addition to avoiding the waste of valuable judicial resources,
4 the parties would like to avoid the necessity and expense of having to prepare and
5 oppose a Motion to Dismiss that may be rendered moot.

6 WHEREAS, this is the *third* extension between Plaintiffs and Trustee Corps
7 to extend the time for Trustee Corps to file a responsive pleading to the Complaint.

8 WHEREFORE, Plaintiffs and Trustee Corps, by and through their attorneys
9 of record, hereby stipulate and request that the time for Trustee Corps to file a
10 responsive pleading to the Complaint be extended to and including **February 14,**
11 **2017**, being seven days after the hearing of Plaintiffs' re-filed Motion to Remand
12 currently set for February 7, 2017.

13
14 Dated: December 20, 2016

BURKE, WILLIAMS & SORENSEN, LLP

15
16 By: /s/Martin Kosla

17 Richard J. Reynolds
18 Martin Kosla
19 Attorneys for Defendant
MTC FINANCIAL INC. dba TRUSTEE
CORPS

20
21 Dated: December 20, 2016

UNITED LAW CENTER

22
23 By: /s/Danny A. Barak

24 Stephen J. Foondos
25 Danny A. Barak
26 Attorneys for Plaintiffs
TIMOTHY J. PELLEGRINI and
LORIBEITH B. PELLEGRINI

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ORDER

THE PARTIES HAVING STIPULATED THERETO AND GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED THAT the time for Trustee Corps to file a responsive pleading to the Complaint is extended to and including **February 14, 2017**, being seven days after the hearing of Plaintiffs' re-filed Motion to Remand currently set for February 7, 2017.

IT IS SO ORDERED:

DATED: 12/20/2016

/s/ John A. Mendez

JUDGE OF THE UNITED STATES
DISTRICT COURT