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6 Attorneys for Defendants
 7 Select Portfolio Servicing, Inc.; Wells Fargo Bank,
 8 N.A., as Trustee for Structured Asset Mortgage
 9 Investments II Inc. Bear Stearns Mortgage Funding
 Trust 2006-AR5, Mortgage Pass-Through
 Certificates, Series 2006-AR5
 (erroneously sued as "Wells Fargo Bank, N.A.")

10 UNITED STATES DISTRICT COURT
 11 EASTERN DISTRICT OF CALIFORNIA
 12 SACRAMENTO DIVISION

13 MAYBELLE SAN MIGUEL,
 14 Plaintiff,
 15 v.
 16 SELECT PORTFOLIO SERVICING, INC.;
 17 WELLS FARGO BANK, N.A.; and
 18 DOES 1 through 50, inclusive,
 19 Defendants.

Case No. 2:16-cv-03034-TLN-CKD
**STIPULATED REQUEST TO MODIFY
 INITIAL PRETRIAL SCHEDULING
 ORDER; ORDER**

Action Filed: November 17, 2016

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

2 Plaintiff Maybelle San Miguel ("Plaintiff") and Defendants Select Portfolio Servicing,
3 Inc. ("SPS") and Wells Fargo Bank, N.A, as Trustee for Structured Asset Mortgage Investments
4 II Inc. Bear Stearns Mortgage Funding Trust 2006-AR5, Mortgage Pass-Through Certificates,
5 Series 2006-AR5's (erroneously sued as "Wells Fargo Bank, N.A.") ("Wells Fargo")
6 (collectively, "Defendants"), hereby recite and stipulate, subject to the Court's approval as
7 provided for herein, as follows:

8 RECITALS

9 1. On November 17, 2016, Plaintiff filed this action in the Sacramento County
10 Superior Court. ECF No. 1. On December 28, 2016, SPS removed this action to this Court. *Id.*

11 2. On March 9, 2017, the Court issued a Pretrial Scheduling Order. ECF No. 10.
12 The following deadlines apply pursuant to this Order:

- 13 a. October 31, 2017 deadline to complete fact discovery;
14 b. December 28, 2017 deadline to designate expert witnesses; and
15 c. April 19, 2018 deadline to file dispositive motions.

16 3. On March 9, 2017, Defendants filed its Motion To Dismiss. ECF No. 11.

17 4. On May 12, 2017, the Court entered a Minute Order stating that Defendants'
18 Motion to Dismiss was submitted without oral argument.

19 5. As of October 2017, the Court has not ruled on the Motion to Dismiss. The
20 pleadings are not yet "at issue." Despite this, Defendants have engaged in some, but not all, of
21 their discovery given that the allegations ultimately at issue in the case may change.

22 6. The parties submit that good cause exists to continue for 120-days the October 31,
23 2017 deadline to complete fact discovery¹ because, in an effort to limit costs and to litigate this
24 action in the most efficient means possible, the certain fact discovery while the Court was
25 considering Defendants' Motion To Dismiss has been delayed.

26 _____
27 ¹ The Parties believe it prudent to extend the expert designation deadline to close at a time sufficiently after the
28 close of the fact discovery deadline. The Parties therefore propose a 90-day extension of the expert designation
deadline to March 28, 2018. As far as the Parties can see, neither of these extensions interfere with the other
deadlines in the case associated with dispositive motions, the pre-trial conference or trial dates.

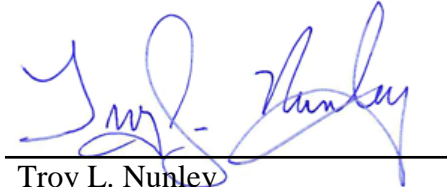
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ORDER

Pursuant to the terms of the foregoing stipulation, the Court extends the fact discovery deadline 120-days: from October 31, 2017 to February 28, 2018. The Court also extends the expert designation deadline 90-days: from December 28, 2017 to March 28, 2018.

IT IS SO ORDERED.

Dated: October 30, 2017



Troy L. Nunley
United States District Judge