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12 Attorneys for Defendant
 13 ZB, N.A., a national banking association, dba California Bank & Trust

14 **UNITED STATES DISTRICT COURT**
 15 **EASTERN DISTRICT OF CALIFORNIA**
 16 **SACRAMENTO DIVISION**

17 RONALD C. EVANS, an individual; JOAN M.
 18 EVANS, an individual; DENNIS
 TREADAWAY, an individual; and all others
 19 similarly situated,

20 Plaintiffs,

21 vs.

22 ZB, N.A., a national banking association, dba
 California Bank & Trust,

23 Defendant.

Case No. 2:17-cv-01123-WBS-DB

**STIPULATION AND [PROPOSED
 ORDER]:**

- (1) CONTINUING THE HEARING ON
 DEFENDANT’S MOTION TO REFER
 THIS CLASS ACTION COMPLAINT;
 AND
- (2) EXTENDING DEFENDANT ZB, N.A.’S
 DEADLINE TO FILE A RESPONSIVE
 PLEADING TO PLAINTIFFS’ CLASS
 ACTION COMPLAINT

Date: August 21, 2017
 Time: 1:30 p.m.
 Hon: William B. Shubb
 Courtroom: 5

Complaint Filed: May 26, 2017
 Trial Date: None set

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STIPULATION

Plaintiffs Ronald C. Evans, Joan M. Evans, and Dennis Treadaway, (collectively, the “Plaintiffs”) and Defendant ZB, N.A., a national banking association, doing business as California Bank & Trust (“CB&T”) (collectively, the “Parties”), by and through their respective counsel of record, enter into the following stipulation (the “Stipulation”).

1. On May 26, 2017, the Plaintiffs filed this Class Action Complaint (the “Complaint”) against CB&T.

2. On May 30, 2017, the Plaintiffs served the Summons and the Complaint upon CB&T via personal service (the “Service Date”).

3. Under Rule 12(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the deadline for CB&T to file and serve its answer or otherwise respond to the Complaint was initially June 20, 2017 (the “Response Deadline”).

4. On June 12, 2017, this Court entered an Order granting the Parties’ Stipulation to extend CB&T’s Response Deadline to July 31, 2017.

5. On July 24, 2017, CB&T filed a Motion to Refer this Class Action Complaint to the Honorable Robert S. Bardwil in the U.S. Bankruptcy Court for the Eastern District of California pursuant to 28 U.S.C. § 157(a) and this Court’s General Orders 182, 223, and 330 (the “Referral Motion”).

6. The Referral Motion is currently scheduled to be heard by this Court on August 21, 2017 at 1:30 p.m.

7. Plaintiffs request additional time to review and consider the merits of the Referral Motion. Thus, the Parties agree to the following schedule with respect to the Referral Motion:

a. Plaintiffs shall file and serve their opposition, if any, to the Referral Motion on or before **August 28, 2017**;

b. CB&T shall file and serve its reply to any opposition to the Referral Motion on or before **September 11, 2017**; and

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c. The hearing on Referral Motion shall be continued from August 21, 2017 to **September 18, 2017 at 1:30 p.m.**

8. To allow time for this Court to hear and determine the Referral Motion, the Parties agree to further extend CB&T's Response Deadline such that CB&T shall have **until 20 calendar days** after notice to the Parties of the Court's entry of its written order ruling on the Referral Motion in which to file an answer or otherwise respond to the Complaint. This deadline shall apply regardless of whether this Court retains jurisdiction, or refers all or part of this case to the Bankruptcy Court.

STIPULATED AND AGREED TO BY:

DATED: July 27, 2017

BUCHALTER, A Professional Corporation

By: /s/ Robert S. McWhorter
ROBERT S. MCWHORTER

Attorneys for Defendant,
ZB, N.A., a national banking association, dba
California Bank & Trust

DATED: July 27, 2017

By: /s/ Robert L. Brace
ROBERT L. BRACE

Attorneys for Plaintiffs and all others similarly
situated

I, the filer of this document, attest that each of the other signatories have consented to the filing of this document.

/s/ Robert S. McWhorter
Robert S. McWhorter

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ORDER

Based on the Parties' Stipulation, and good cause appearing,

IT IS HEREBY ORDERED THAT:

1. Plaintiffs shall file and serve their opposition, if any, to the Referral Motion on or before **August 28, 2017**.
2. CB&T shall file and serve its reply to any opposition to the Referral Motion on or before **September 11, 2017**.
3. The hearing on Defendant's Motion to Refer Case to US Bankruptcy Court shall be continued from August 21, 2017 to **September 18, 2017 at 1:30 p.m.**
4. CB&T shall have **until 20 calendar days** after notice to the Parties of the Court's entry of its written order ruling on the Referral Motion in which to file an answer or otherwise respond to the Complaint. This deadline shall apply regardless of whether this Court retains jurisdiction, or refers all or part of this case to the Bankruptcy Court.
5. The Scheduling Conference is continued from September 25, 2017 to **November 20, 2017 at 1:30 p.m.** A Joint Status Report shall be filed no later than **November 6, 2017**.

Dated: July 28, 2017



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE