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**Attorneys for Defendant**  
**DITECH FINANCIAL LLC**

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

LEYLA M. TABER,  
  
Plaintiff,  
  
v.  
  
DITECH FINANCIAL, LLC, a business entity  
and DOES 1 through 50, inclusive,  
  
Defendants.

No. 2:18-cv-01795-KJM-KJN

**STIPULATION AND ORDER TO  
CONTINUE IN PERSON  
HEARING/MANDATORY  
SETTLEMENT CONFERENCE**

It is hereby stipulated by the parties LEYLA M. TABER (“Plaintiff”) and DITECH FINANCIAL LLC (“DITECH”)(collectively the “Parties”), through their counsel of record, that the In Person Hearing/Mandatory Settlement Conference (“MSC”) currently set for October 5, 2018 at 1:30pm in the above captioned action be continued to a later date.

The Court set the October 5, 2018 hearing primarily due to concerns with the upcoming October 9, 2018 foreclosure sale date and related issues. While DITECH does not currently service the loan at issue in the litigation, it made a request to Caliber, the current servicer, to postpone the October 9, 2018 foreclosure sale and Caliber has confirmed to DITECH that the October 9 sale

1 date will be postponed.

2 Further, DITECH has confirmed it has taken the necessary steps to begin the repurchase  
3 process, including submitting a request to repurchase the loan and supporting documentation,  
4 subject to approval by FNMA, which DITECH is awaiting.

5 Based on these facts, and also because the parties believe it would be conducive to  
6 settlement, the Parties respectfully request that the Court continue the October 5, 2018 In Person  
7 Hearing/MSJ to October 17 or 18 or the next available date that is convenient to the Court.

8 DATED: October 4, 2018

WOLFE & WYMAN LLP

10  
11 By:           /s/ Joshua M. Bryan            
12 STUART B. WOLFE  
13 JOSHUA M. BRYAN  
14 Attorneys for Defendant  
15 **DITECH FINANCIAL LLC**

16 DATED: October 4, 2018

KETTNER LAW CORPORATION

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19 By:           /s/ Joshua M. Bryan            
20 MARC APPLBALUM  
21 Attorneys for Plaintiff  
22 **LEYLA M. TABER**



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**ORDER**

Pursuant to the parties' stipulation, IT IS HEREBY ORDERED that:

1. The October 5, 2018 In Person Hearing/Mandatory Settlement Conference is continued to **October 25, 2018, at 10:00 a.m.**, at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27, before the undersigned;

2. Plaintiff Leyla Taber, plaintiff's counsel, defendant Ditech Financial LLC, and defendant's counsel shall appear in person at the October 25, 2018 In Person Hearing/Mandatory Settlement Conference;

3. An Informal Telephonic Conference is set for **October 23, 2018 at 01:30 p.m.** in the Chambers of Magistrate Judge Deborah Barnes; and

4. The parties are cautioned that the failure to take part in the October 23, 2018 telephonic conference or appear at the October 25, 2018 hearing may result in an order imposing an appropriate sanction. See Local Rules 110 and 183.

DATED: October 4, 2018

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE

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