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15 *Attorneys for Plaintiff John Castorina*

16
17 **UNITED STATES DISTRICT COURT**
18 **EASTERN DISTRICT OF CALIFORNIA**

19
20 JOHN CASTORINA, individually and on
behalf of all others similarly situated,

21 Plaintiff,

22 v.

23 BANK OF AMERICA, N.A. and INTEGON
24 NATIONAL INSURANCE COMPANY,

25 Defendants.

Case No. 2:21-CV-02004-WBS-KJN

**STIPULATION TO EXTEND TIME FOR
DEFENDANT BANK OF AMERICA, N.A.
TO RESPOND TO COMPLAINT AND
SET BRIEFING SCHEDULE FOR
MOTION TO DISMISS**

Judge: Hon. William B. Shubb

1 **STIPULATION TO EXTEND TIME FOR DEFENDANT BANK OF AMERICA, N.A.**
2 **TO RESPOND TO COMPLAINT AND SET BRIEFING SCHEDULE**
3 **FOR MOTION TO DISMISS**

4 Plaintiff John Castorina (“Plaintiff”) and Defendant Bank of America, N.A. (“BANA”)
5 (together, the “Parties”), through their undersigned counsel, hereby submit this Stipulation to
6 Extend Time for Defendant Bank of America, N.A. to Respond to Complaint and Set Briefing
7 Schedule for Motion to Dismiss as follows:

- 7 1. Plaintiff filed the Complaint in this matter on October 29, 2021.
- 8 2. Plaintiff served the Complaint on Defendant on November 3, 2021.
- 9 3. Pursuant to Rule 12(a) of the Federal Rules of Civil Procedure, BANA must
10 answer or otherwise respond to the Complaint by November 24, 2021.
- 11 4. BANA recently engaged counsel for this matter.
- 12 5. Given the need for BANA and its counsel to investigate Plaintiff’s allegations and
13 the upcoming holiday season, counsel for Parties conferred and agreed on the following briefing
14 schedule, subject to the Court’s approval:
- 15 a. BANA’s response to Plaintiff’s Complaint will be submitted on or before
16 January 12, 2022.
- 17 b. Should BANA move to dismiss the Complaint, Plaintiff’s response brief
18 will be due on or before February 23, 2022, and BANA’s reply brief will be due on or before
19 March 16, 2022.
- 20 6. There have been no extensions of time in this case.

21 Accordingly, it is hereby agreed to and stipulated by the Parties, and respectfully
22 requested that the Court enter the proposed order that:

23 BANA shall answer or otherwise respond to the Complaint on or before January 12, 2022;
24 and should BANA move to dismiss the Complaint, Plaintiff’s response brief will be due on or
25 before February 23, 2022, and BANA’s reply brief will be due on or before March 16, 2022.

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ORDER

IT IS SO ORDERED:

BANA shall answer or otherwise respond to the Complaint on or before January 12, 2022; and should BANA move to dismiss the Complaint, Plaintiff's response brief will be due on or before February 23, 2022, and BANA's reply brief will be due on or before March 16, 2022. Hearing on said motion (if filed) shall be set for March 21, 2022 at 1:30 p.m. The Scheduling Conference is continued May 9, 2022 at 12:30 p.m. A joint status report shall be filed no later than April 25, 2022.

Dated: November 17, 2021



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

1 Respectfully submitted,

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4 Dated: November 16, 2021

/s/ William K. Pao

William K. Pao

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Attorneys for Defendant

Bank of America, N.A.

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Dated: November 16, 2021

/s/ Daniel J. Stewart (as authorized on 11/16/2021)

Daniel J. Stewart

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed on November 16, 2021, with the Clerk of the Court using CM/ECF which caused a copy to be served on all counsel of record.

Dated: November 16, 2021

By: /s/ William K. Pao
William K. Pao