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4			
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9	Attorneys for Defendants		
10	UNITED STATES DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA- EUREKA		
12	CHRISTOPHER GENE LYMAN; JESSICA	Case No: CV110433	
13	HELEN O'DANIEL,	STIPULATION RE. EXTENSION OF	
14	Plaintiffs, vs.	TIME TO FILE REPLY TO PLAINTIFFS' OPPOSITION TO	
15		DEFENDANTS' MOTION TO DISMISS	
16	SAXON MORTGAGE SERVICES, INC.; OCWEN LOAN SERVICING, LLC; FIRST	Date: May 15, 2012	
17	NLC FINANCIAL SERVICES, LLC; and DOES 1 through 100, inclusive	Time: 10:00 a.m. Ctrm: 205a	
18 Services, Inc.			
19			
20	IT IS HEREBY STIPULATED AND AGREED by Plaintiffs CHRISTOPHER GENE LYMAN and JESSICA HELEN O'DANIEL (collectively "Plaintiffs") and Defendants OCWEN LOAN SERVICING, LLC, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 (erroneously sued as DEUTSCHE BANK NATIONAL TRUST COMPANY), DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 (erroneously sued as IXIS REAL ESTATE		
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28	CAPITAL TRUST 2004-HE3), MORTGAGE I	ELECTRONIC REGISTRATION SYSTEMS,	
	STIPULATION GRANTING EXTENSION TO F	FILE REPLY RE. MOTION TO DISMISS TAC	

INC., AND WESTERN PROGRESSIVE, LLC (collectively "Defendants") by and through their 1 2 respective counsel of record herein, that: 3 Whereas Defendants have filed a Motion to Dismiss Plaintiffs' Third Amended 4 Complaint ("TAC") currently scheduled for hearing before this Court on May 15, 2012; 5 Whereas Plaintiffs have filed an Opposition to Defendants' Motion to Dismiss the TAC, 6 and Defendants' Reply to Plaintiffs' Opposition to the Motion to Dismiss the TAC was currently 7 due, pursuant to Local Rule, on April 16, 2012; and 8 Whereas the Parties have agreed that Defendants shall be permitted a nine (9) day 9 extension in which to file and serve their Reply to Plaintiffs' Opposition to the Motion to 10 Dismiss the TAC until April 25, 2012. 11 IT SO AGREED AND STIPULATED. 12 DATED: April 10, 2012 **NEARY AND O'BRIEN** 13 /s/ Christopher J. Neary Christopher J. Neary 14 Attorneys for Plaintiffs CHRISTOPHER GENE LYMAN and JESSICA HELEN 15 O'DANIEL 16 **HOUSER & ALLISON** DATED: April 10, 2012 17 /s/ Jason K. Boss 18 Jason K. Boss Attorneys for Defendants OCWEN LOAN 19 SERVICING, LLC, DEUTSCHE BANK 20 NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE 21 CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 22 2005-HE3 (erroneously sued as DEUTSCHE BANK NATIONAL TRUST COMPANY), 23 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL 24 **ESTATE CAPITAL TRUST 2005-HE3** MORTGAGE PASS THROUGH 25 CERTIFICATES, SERIES 2005-HE3 (erroneously sued as IXIS REAL ESTATE 26 CAPITAL TRUST 2004-HE3), MORTGAGE 27 ELECTRONIC REGISTRATION SYSTEMS, INC., AND WESTERN PROGRESSIVE,LLC 28 [Proposed Order on Next Page]

STIPULATION GRANTING EXTENSION TO FILE REPLY RE. MOTION TO DISMISS TAC

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## **ORDER**

This Honorable Court, having reviewed the Stipulation of the Parties herein above and finding good cause therefore, hereby orders as follows:

Defendants OCWEN LOAN SERVICING, LLC, DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 (erroneously sued as DEUTSCHE BANK NATIONAL TRUST COMPANY), DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR IXIS REAL ESTATE CAPITAL TRUST 2005-HE3 MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HE3 (erroneously sued as IXIS REAL ESTATE CAPITAL TRUST 2004-HE3), MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AND WESTERN PROGRESSIVE, LLC (collectively "Defendants") shall be granted until April 25, 2012 to file a Reply to Plaintiffs' Opposition to Defendants' Motion to Dismiss Plaintiffs' Third Amended Complaint.

IT IS SO ORDERED.

Dated: April 11, 2012

HONORABLE NANDOR J. VADAS

United States Magistrate Judge, United States District Court,

Northern District of California, Eureka Division

1	PROOF OF SERVICE		
2			
3	I am employed in the County of Orange, State of California. I am over the age of		
4	eighteen and not a party to the within action. My business address is 9970 Research Drive,		
5	Irvine, California 92618.		
	On April 10, 2012, I served the following document described as:		
6 7	STIPULATION RE. EXTENSION OF TIME TO FILE REPLY TO PLAINTIFFS OPPOSITION TO DEFENDANTS' MOTION TO DISMISS		
8	On the following interested parties in this action:		
9	Christopher James Neary Attorney at Law Christopher Lee Peterson Pite Duncan, LLP		
10	Attorney at Law Pite Duncan, LLP 4375 Jutland Drive, Suite 200		
	Willits, CA 95490 P.O. Box 17935		
11	E-Mail: cjneary@pacific.net San Diego, CA 92177-0935  Attorney for Plaintiffs E-Mail: cpeterson@piteduncan.com		
12	Attorneys for Saxon Mortgage Services, Inc.		
13	[X] BY ELECTRONIC MAIL: I transmitted the document(s) listed above electronicall		
14 15	either by e-mail or by electronic filing through the CM/ECF System to the e-ma addresses listed above. I am readily familiar with Microsoft Outlook's e-mail system an the United States District Court's CM/ECF System, and the transmission was reported a		
16	complete without error.		
17	I declare under penalty of perjury under the laws of the United States of America, that the		
18	foregoing is true and correct.		
	Executed on April 10, 2012, at Irvine, California.		
19	Doke Hayer		
20	Kokie Nguyen		
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STIPULATION GRANTING EXTENSION TO FILE REPLY RE. MOTION TO DISMISS TAC

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