

1 Heidi Li, Esq., SBN 202068
 Matthew J. Webb, SBN 148228
 2 The Law Offices of Matthew J. Webb
 409 – 13th Street, Tribune Tower, 17th Floor
 3 Oakland, CA 94612
 4 Telephone: (510) 444-4224
 Facsimile: (510) 444-4223

5 Attorney for Plaintiffs
 6 Juan Murillo, Maria Murillo, Martha Jimenez,
 7 Amalia Rios and Maria Muñoz

8 B. Edward McCutchan, Jr., Esq. (State Bar No. 119376)
 Scott R. Comerford, Esq. (State Bar No. 238751)
 9 SUNDERLAND & McCUTCHAN, LLP
 412 Aviation Boulevard, Suite D
 10 Santa Rosa, CA 95403
 11 Tel: (707) 284-5524 / Fax: (707) 284-5527

12 Attorney for Defendants
 Francisco Cervantes, Teresa Diaz,
 13 Bobby Ray Lee, RAM Capital Corporation
 dba Citywide Properties

15 L. Jay Pedersen, Esq. (State Bar No. 127791)
 Jeffrey Vi Ta, Esq. (State Bar No. 225188)
 16 BLEDSOE, CATHCART, DIESTEL, PEDERSEN & TREPPA LLP
 601 California Street, 16th Floor
 17 San Francisco, California 94608-2805
 18 Tel: (415) 981-5411 / Fax: (415) 981-0352

19 Attorney for Defendant
 20 First Federal Mortgage Bankers, Inc.

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**

23	JUAN MURILLO aka JUAN MANUEL)	Case No: C07-02199 MEJ
24	MURILLO; MARIA MURILLO aka MARIA)	
	JUDITH MURILLO; MARTHA JIMENEZ;)	
25	AMALIA RIOS aka AMALIA GALVAN RIOS;)	ALL PLAINTIFFS AND DEFENDANTS
	and MARIA MUÑOZ,)	FIRST FEDERAL MORTGAGE BANKERS,
26)	INC., RAM CAPITAL CORP. dba
	Plaintiffs,)	CITYWIDE PROPERTIES, BOBBY RAY
27)	LEE, FRANCISCO CERVANTES, TERESA
)	DIAZ'S JOINT STIPULATION SEEKING
28	vs.)	RELIEF FROM AMENDED CASE
)	MANAGEMENT ORDER FILED 10/30/08;

1 FRANCISCO CERVANTES; TERESA DIAZ;) ~~PROPOSED~~ ORDER
 BOBBY RAY LEE; FIRST FEDERAL)
 2 MORTGAGE BANKERS, INC. dba CITYWIDE)
 3 PROPERTIES dba CITYWIDE HOME LOANS)
 dba RAM CAPITAL CORP.; HAROLD)
 4 BLANCO; EAGLE LITERACY GROUP, INC.;)
 NEW CENTURY MORTGAGE CORP.; WELLS)
 5 FARGO BANK, NA.; CHASE HOME)
 FINANCE, LLC, OCWEN LOAN SERVICING,)
 6 LLC and DOES 1-100,)
 7)
 Defendants.)
 8)
 9)

10 The signatories below, who are parties to the above-entitled action, submit this Joint Stipulation
 11 Seeking Relief from the Amended Case Management Order issued by the Court on October 30, 2008
 12 and submit an accompanying [Proposed] Amended Case Management Order requesting that the Court
 13 adopt this newly proposed Amended Case Management Order in this action inclusive of all revised
 14 timelines listed therein for GOOD CAUSE per the reasons stated herein.

15 The parties to this action and their attorneys of record who are the signatories below are
 specifically:

16 Plaintiffs Juan Murillo, Maria Murillo, Martha Jimenez, Amalia Rios and Maria Muñoz
 17 (“Plaintiffs”) as represented by attorney Heidi M. Li and Matthew J. Webb of The Law Offices of
 18 Matthew J. Webb; and defendants Bobby Ray Lee, RAM Capital Corporation dba Citywide Properties,
 19 Francisco Cervantes, and Teresa Diaz as represented by attorneys B. Edward McCutchan, Jr. and Scott
 20 R. Comerford of Sunderland & McCutchan, LLP and defendant First Federal Mortgage Bankers, Inc.
 21 dba Citywide Home Loans as represented by attorneys L. Jay Pedersen and Jeffrey Vi Ta of Bledsoe,
 Cathcart, et al., LLP. Collectively, the foregoing parties are referred to herein-below as “The Parties.”

22 WHEREAS since March of 2008, the Parties have been engaged in active discovery in this
 23 proceeding but, to date, have not yet completed yet all needed discovery in this action including
 24 propounding and responding to all written discovery, designating experts, and the taking of depositions
 25 of the parties including experts.

26 WHEREAS, on October 30, 2008, this Court issued an Amended Case Management Order
 27 based on its review and, subsequent, approval of much of a [Proposed] Amended Case Management
 28

1 Order which was submitted by stipulation of the parties and their counsel and filed in this proceeding
2 previously on January 8, 2008.

3 WHEREAS, on or after May 16, 2008, Defendant First Federal Mortgage Bankers, Inc. filed a
4 Substitution of Attorneys with this Court substituting attorneys L. Jay Pedersen and Jeffry Vi Ta of
5 Bledsoe, Cathcart, et al., LLP, as their attorney of record effective in place of and instead of B. Edward
6 McCutchan, Jr. and Scott R. Comerford of Sunderland & McCutchan, LLP, in this action;

7 WHEREAS, effective as of April and May of 2008, Plaintiffs resolved through confidential
8 settlement their respective claims with defendants Chase Home Finance (“Chase”), Ocwen Loan
9 Servicing, LLC (“Ocwen”) and Wells Fargo Bank, NA (“Wells”) and sought, at such time, to
10 voluntarily dismiss with prejudice these said defendants from this proceeding;

11 WHEREAS, since the court’s issuance of its October 30, 2008 Amended Case Management
12 Order, The Parties have not yet attended a Settlement Conference after being referred under this Order
13 and a related subsequent order to Magistrate Judge James Larson for this purpose.

14 WHEREAS, The Parties were scheduled to attend a settlement conference hearing before the
15 Honorable Judge Larson on April 15, 2009. However, due to scheduling conflicts and the
16 unavailability of certain counsel and also named parties in this proceeding have now rescheduled this
17 hearing for August 11, 2009.

18 WHEREAS, the Parties through their respective counsel would like to proceed forward, at this
19 time, with further needed discovery in this action and to engage also in good faith settlement
20 negotiations at the upcoming settlement conference hearing now set for August 11, 2009 before fully
21 completing all such discovery.

22 WHEREAS, for the reasons stated above, such relief from the current October 30, 2008,
23 Amended Case Management Order is necessary currently in order to allow plaintiffs and all remaining
24 defendants who have appeared in this proceeding full and fair opportunity to jointly comply with ADR,
25 and other joint Case Management Order filing requirements; and

26 WHEREAS, Good cause exists based on the reasons stated herein-above to approve this
27 Stipulation.

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Respectfully Submitted,

Dated: April 17, 2009

THE LAW OFFICES OF MATTHEW J. WEBB

/S/
Heidi Li
Attorneys for all Plaintiffs

Dated: April 20, 2009

SUNDERLAND & McCUTCHAN

/S/
Scott Comerford
Attorneys for Defendants: BOBBY RAY LEE;
RAM CAPITAL CORP. dba CITYWIDE PROPERTIES,
FRANCISCO CERVANTES and TERESA DIAZ

Dated: April 20, 2009

BLEDSOE, CATHCART, ET AL., TREPPA LLP

/S/
L. Jay Pedersen, Esq
Attorneys for Defendant
FIRST FEDERAL MORTGAGE BANKERS, INC. dba
CITYWIDE HOME LOANS

SIGNATURE ATTESTATION

As the attorney e-filing this document with the court, I hereby attest that I have on file all holograph signatures for any and all signatures indicated by a “conformed” signature (/S/) within this efiled document.

Dated: April 20, 2009

THE LAW OFFICES OF MATTHEW J. WEBB

By: _____

/S/
Heidi Li
Attorneys for Plaintiffs

ORDER

The Court has reviewed the plaintiffs and defendants Bobby Ray Lee, RAM Capital Corporation dba Citywide Properties, Francisco Cervantes, and Teresa Diaz and First Federal Mortgage Bankers, Inc.'s Stipulation Seeking Relief from the court's current Amended Case Management Order filed on October 30, 2009; and [Proposed] Amended Case Management Order and based upon the foregoing, and GOOD CAUSE APPEARING,

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the plaintiffs and defendants be granted relief from the court's current October 30, 2008 Amended Case Management Order and the court shall heretofore issue a new Amended Case Management Order in this proceeding.

IT IS SO ORDERED this 27th day of April, 2009.



Honorable Maria Elena James:
United States District Court
Magistrate Judge