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11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14 Philip Wong, et al, individually, on behalf
 15 of others similarly situated, and on behalf
 16 of the general public,

17 Plaintiffs,

18 v.

19 HSBC Mortgage Corporation (USA),
 20 HSBC Bank USA, N.A., and DOES 1
 through 50, inclusive,

21 Defendants.

Case No. 07-cv-2446 MMC

**STIPULATION FOR LEAVE TO FILE
 22 THIRD AMENDED COMPLAINT**

23 AND ORDER THEREON

24
 25 Plaintiffs Philip Wong, et al, and Defendants HSBC Mortgage Corporation (USA) and HSBC
 26 Bank USA, N.A. (“Defendants”) by and through their respective counsel of record, and pursuant
 27 to Rule 15(a) of the Federal Rules of Civil Procedure, hereby stipulate and agree as follows:
 28

1 WHEREAS, in the case management conference held on October 22, 2010, Plaintiffs
2 proposed, and Defendants and the Court agreed, that the trial of this action will include five
3 California Plaintiffs: Philip Wong, Frederic Chaussy, Ryan Kanazawa, Stephany Hor and
4 Christine Lim; and

5 WHEREAS, at the same case management conference Plaintiffs proposed, and
6 Defendants and the Court agreed, that former named Plaintiffs Chad Barbieri and Leslie Marie
7 Shearn would not be included in the trial of this action, but rather their claims would be dismissed
8 without prejudice to refile in another jurisdiction; and

9 WHEREAS, Plaintiffs seek to amend their complaint to conform to this agreement
10 amongst counsel and Order of the Court;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that

12 1) Defendants grant their consent to Plaintiffs to file their Third Amended Complaint,
13 attached hereto as Exhibit A.

14 Pursuant to General Order 45, concurrence of all signatories has been obtained by the filing of
15 this stipulation.

16 Dated: November 12, 2010

NICHOLS KASTER, LLP

By, s/Matthew C. Helland

Matthew C. Helland

19 NICHOLS KASTER, PLLP
Attorneys for Plaintiffs

20 Dated: November 12, 2010

LITTLER MENDELSON P.C.


By, s/Michelle R. Barrett

Michelle R. Barrett

Attorneys for Defendants

24 PURSUANT TO STIPULATION, IT IS SO ORDERED.

25 Dated: November 19, 2010

26 
Honorable Maxine M. Chesney
United States District Judge