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Attorneys for Plaintiff and all others Similarly Situated

# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

GREGORY M. JORDAN, individually and on  
 behalf of all others similarly situated,

Plaintiff,

v.

PAUL FINANCIAL, LLC, LUMINENT  
 MORTGAGE CAPITOL, INC., LUMINENT  
 MORTGAGE TRUST 2006-2, HSBC  
 NATIONAL ASSOCIATION, and DOES 1  
 through 10 inclusive,

Defendants.

**CASE NO. 3:07-cv-04496-SI**

[Assigned to the Hon. Susan Illston]

CLASS ACTION

**STIPULATION AND [PROPOSED] ORDER  
 CONTINUING CASE MANAGEMENT  
 CONFERENCE**

Hearing Date: November 7, 2008  
 Time: 2:00 p.m.  
 Place: Courtroom 10  
 Judge: Hon. Susan Illston

Complaint Filed: August 29, 2007  
 Trial Date: Not set yet.

**STIPULATION**

WHEREAS, on October 31, 2008, Plaintiff filed his motion for class certification and application for preliminary injunction for hearing on December 5, 2008;

WHEREAS, on November 3, 2008, Defendants Paul Financial LLC and HSBC Bank USA, National Association ("Defendants") served their Notice of Deposition of Plaintiff Gregory M. Jordan, to commence on November 13, 2008;

WHEREAS, on November 4, 2008, the Court continued the hearing on Plaintiff's motion for class certification and application for preliminary injunction to January 16, 2008.

WHEREAS, counsel for Plaintiff, David M. Arbogast, is unavailable on Friday, November 7, 2008 due to a speaking engagement at Consumer Attorneys of California's Annual Convention;

WHEREAS, Mr. Arbogast has requested that the status conference, currently set for Friday, November 7, be continued to Friday, November 14, 2008 at 2:30 p.m.;

WHEREAS, counsel have agreed, with the Court's permission, to continue the status conference, currently set for November 7, to November 14, 2008 at 2:30 p.m.

IT IS THEREFORE STIPULATED by and between Plaintiff and Defendants that, should the Court's schedule permit, the November 7, 2008 status conference be continued until November 14, 2008.

IT IS SO STIPULATED:

DATED: November 4, 2008

Respectfully submitted,  
GREGORY M. JORDAN

By his attorneys,

/s/ David M. Arbogast  
**ARBOGAST & BERNIS LLP**  
19510 Ventura Blvd., Suite 200  
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Phone: (818) 961-2000  
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*Attorneys for Plaintiff*

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1 DATED: November 4, 2008

PAUL FINANCIAL LLC  
By its attorneys,

3 /s/ Irene C. Freidel  
Irene C. Freidel  
4 **K & L GATES ELLIS LLP**  
One Lincoln Street  
5 Boston, MA 02111-2950  
Phone: (617) 951-9154  
6 Fax: (617) 261-3175

7 *Attorneys for Defendants*

8 **[PROPOSED] ORDER**

9 Pursuant to the Stipulation of counsel and for good cause shown, IT IS HEREBY ORDERED  
10 that:

11 1. The Case Management Conference currently set for November 7, 2008 is continued to  
12 Friday, November 14, 2008 at 2:30 p.m.

13 **IT IS SO ORDERED**

14  
15 Dated: \_\_\_\_\_, 2008



HON. SUSAN ILLSTON  
UNITED STATES DISTRICT COURT JUDGE