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6 Attorneys for Plaintiffs
7 VERONICA GUTIERREZ, TIM FOX, ERIN WALKER
and WILLIAM SMITH, on behalf of themselves and
8 all others similarly situated,

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14 Attorneys for Defendants
15 WELLS FARGO BANK, N.A. and

16
17 UNITED STATES DISTRICT COURT
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19
20 VERONICA GUTIERREZ, ERIN
WALKER and WILLIAM SMITH, as
21 individuals, and on behalf of all others
similarly situated,

22 Plaintiffs,

23 v.

24
25 WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.; and DOES 1 through
26 125,

27 Defendants.

Civil Case No.: C-07-5923 WHA (JCSx)

CLASS ACTION

**STIPULATION TO CONTINUE THE
TIME TO RESPOND TO
ADMIMISTRATIVE MOTION FILED
BY PLAINTIFFS**

Hon. William H. Alsup

Complaint filed: November 21, 2007

28 //

1 On October 8, 2008, Plaintiffs filed an Administrative Motion for the Court to consider whether
2 to relate the newly filed Spears-Hammond v. Wachovia Bank with the subject case.

3 The following paragraph is according to Plaintiff's counsel. There has not been an appearance
4 made by Defendant Wachovia in the Spears-Hammond case. The complaint is out for service. A
5 courtesy copy of the Administrative Motion was provided by Plaintiffs' counsel to attorney James
6 McGuire of Morrison & Foerster, LLP on October 10, 2008, because Mr. McGuire had earlier
7 responded on behalf of Wachovia to the notice of intent letter required by CLRA. On October 10, 2008,
8 an associate of Mr. McGuire requested that Wachovia be provided until October 16, 2008 to respond to
9 the Administrative Motion, which Plaintiff agreed to subject to Wells Fargo approval and the Court's
10 approval.

11 Accordingly, the Parties do hereby stipulate, subject to Court approval, that the time for
12 Wachovia to respond to the Administrative Motion filed by Plaintiffs is October 16, 2008.

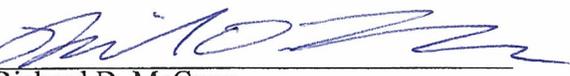
13
14
15 DATED: Oct. 13, 2008

COVINGTON & BURLING LLP

16
17 By: 
18 David M. Jolley
19 Attorneys for Defendants

20 DATED: Oct. 13, 2008

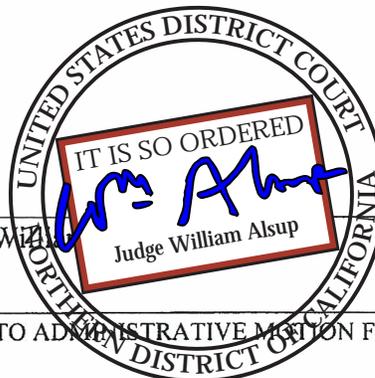
McCUNE & WRIGHT, LLP

21
22 By: 
23 Richard D. McCune
24 Attorneys for Plaintiffs

25 **IT IS SO ORDERED.**

26
27 DATED: October 14, 2008

28 Hon. W



CERTIFICATE OF SERVICE

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

I am employed in the County of San Bernardino, State of California. I am over the age of 18 years and not a party to the within action; my business address is 2068 Orange Tree Lane, Suite 216, Redlands, California, 92374.

On October 13, 2008, I electronically filed the documents titled:

1. STIPULATION TO CONTINUE THE TIME TO RESPOND TO ADMINISTRATIVE MOTION FILED BY PLAINTIFFS

with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following interested parties:

Sonya D. Winner: SWinner@cov.com
David M. Jolley: djolley@cov.com

Attorneys for Defendant, Wells Fargo Bank, N.A.

Further, I am readily familiar with the firm's business practice for collection and processing of documents for service. Under that practice, I caused such document to be sent on the above-referenced date to the following non CM/ECF participants VIA FACSIMILE:

James R. McGuire, Esquire Counsel on behalf of Wachovia Corporation
MORRISON | FOERSTER
125 Market Street
San Francisco, CA 94105
415.268.7013 | 415.268.7522 (fax)

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. Executed on the above-referenced date at Redlands, California.

Handwritten signature of Ann Marie Smith over a horizontal line, with the name 'Ann Marie Smith' printed below.