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16  
 17 UNITED STATES DISTRICT COURT  
 18 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 WELLS FARGO BANK, N.A.,

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

Case No. C 07-05923-WHA (JCSx)

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE HEARING DATE**

The Honorable William H. Alsup

1                   WHEREAS, on October 25, 2010, the Court issued its Order Regarding Joint  
2 Recommendation on Post-Trial Issues and Proposed Judgment (Dkt. No. 497), in which the Court  
3 instructed the parties to file their motions for attorneys' fees and non-cost expenses following  
4 entry of judgment "within the time periods set forth in the Federal Rules of Civil Procedure and  
5 any applicable Civil Local Rules";

6                   WHEREAS, on November 8, 2010, Class Counsel filed their Motion for an Award  
7 of Attorneys' Fees and Costs ("Motion for Attorneys' Fees and Costs") (Dkt. No. 509);

8                   WHEREAS, on November 8, 2010, Defendant Wells Fargo Bank, N.A. ("Wells  
9 Fargo") filed its Motion for Reimbursement of Incremental Fees and Expenses Recoverable  
10 Pursuant to the Court's Orders of May 5 and 13, 2009 ("Motion for Reimbursement") (Dkt. No.  
11 507);

12                   WHEREAS, both Class Counsel's Motion for Attorneys' Fees and Costs and  
13 Wells Fargo's Motion for Reimbursement have now been fully briefed, and are currently  
14 scheduled to be heard by the Court on December 16, 2010 at 8:00 a.m.;

15                   WHEREAS, due to a conflict in another matter, some Class Counsel are  
16 unavailable to attend the hearing scheduled for December 16, 2010;

17                   WHEREAS, on December 8, 2010, the parties filed a stipulation to continue the  
18 hearing on Class Counsel's Motion for Attorneys' Fees and Costs and Wells Fargo's Motion for  
19 Reimbursement until February 3, 2011 (Dkt. No. 539), which the Court denied by Order dated  
20 December 10, 2010 (Dkt. No. 540);

21                   WHEREAS, the Court's clerk subsequently indicated to Class Counsel that the  
22 Court may continue the hearing date on the motions to a date earlier than February 3, 2011;

23                   WHEREAS, pursuant to the Court's calendar guidelines, civil motions are heard  
24 by the Court on Thursdays at 8:00 a.m.;

25                   WHEREAS, counsel for the parties have met and conferred and determined that  
26 they are available on Thursday, January 13, 2011 for a hearing on Class Counsel's Motion for  
27 Attorneys' Fees and Costs and Wells Fargo's Motion for Reimbursement;

28                   WHEREAS, in light of the foregoing, the parties have agreed to continue the

1 hearing date for both Class Counsel's Motion for Attorneys' Fees and Costs and Wells Fargo's  
2 Motion for Reimbursement from December 16, 2010 until January 13, 2011;

3 WHEREAS, the time modification requested herein will not otherwise alter dates  
4 or deadlines set by the Court;

5 WHEREAS, this Stipulation is made in good faith and not for the purpose of  
6 delay,

7 IT IS HEREBY STIPULATED, by and between the parties, through their counsel  
8 of record, that the hearing on Class Counsel's Motion for Attorneys' Fees and Costs and Wells  
9 Fargo's Motion for Reimbursement shall be continued from December 16, 2010 until January 13,  
10 2011 at 8:00 a.m.

11 IT IS SO STIPULATED.

12 Dated: December 13, 2010

LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

13 By: /s/ Michael W. Sobol  
14 Michael W. Sobol

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23 Dated: December 13, 2010

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Pursuant to stipulation, IT IS SO ORDERED.

Dated: December 14, 2010.

  
\_\_\_\_\_  
The Honorable William H. Alsup  
United States District Judge

I, Michael W. Sobol, am the ECF User whose ID and password are being used to file this Stipulation. In compliance with General Order 45, section X.B., I hereby attest that concurrence in the filing of the document has been obtained from each of the other signatories.

By: /s/ Michael W. Sobol  
Michael W. Sobol

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