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Attorneys for Defendant

U.S. FINANCIAL FUNDING, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (San Francisco)

DIAN C. LYMBURNER, individually, and on behalf of others similarly situated,

Plaintiff,

v.

U.S. FINANCIAL FUNDING, INC., a California corporation, and DOES 1 through 10, inclusive,

Defendants.

CASE NO. CV 08-00325 EDL

STIPULATION AND [PROPOSED] ORDER REGARDING U.S. FINANCIAL FUNDING INC.'S ANSWER TO PLAINTIFF'S THIRD AMENDED COMPLAINT

WHEREAS, on July 15, 2009, Plaintiff filed a Third Amended Class Action Complaint;

WHEREAS, Plaintiff and Defendant U.S. Financial Funding, Inc., have agreed that Defendant shall not be required to answer the Third Amended Class Action Complaint, and that all denials, responses, and affirmative defenses contained in the answer filed by Defendant to the original complaint shall be responsive to the Third Amended Class Action Complaint;

IT IS HEREBY AGREED AND STIPULATED by and among the parties, through their respective counsel, that:

1. Defendant U.S. Financial Funding, Inc. shall not be required to answer the Third Amended Class Action Complaint, and that all denials, responses, and affirmative defenses contained in the answer filed by Defendant to the original complaint shall be responsive to the Third Amended Class Action Complaint.

1 IT IS SO STIPULATED.

2 DATED: August 4, 2009

LEE & FIELDS, A.P.C.

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By _____

Christopher P. Fields
Attorneys for Plaintiff, Dian C. Lymburner

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10 DATED: August 5, 2009

LEWIS BRISBOIS BISGAARD & SMITH LLP

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By _____

Roger S. Raphael
Shahram Nassi
Attorneys for Defendant, U.S. Financial Funding, Inc.

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[PROPOSED] ORDER

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Pursuant to the Stipulation of the parties, IT IS HEREBY ORDERED that:

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1. Defendant U.S. Financial Funding, Inc. shall not be required to answer the Third Amended Class Action Complaint, and that all denials, responses, and affirmative defenses contained in the answer filed by Defendant to the original complaint shall be responsive to the Third Amended Class Action Complaint.

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IT IS SO ORDERED

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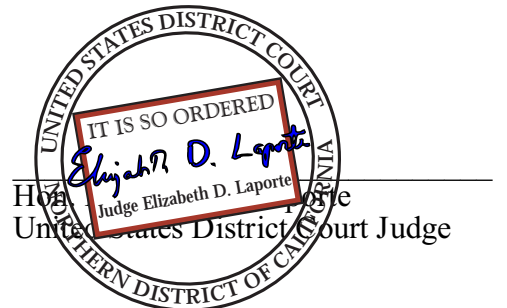
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Dated: August 6, 2009

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1 *Dian C. Lymburner v. U.S. Financial Funding, Inc.*
USDC, Northern District, Oakland, Case No. CV 08-0325 EDL

2 *Dian C. Lymburner v. U.S. Financial Funding, Inc.*
3 USDC, Northern District, Oakland, Case No. CV 08-0325 SBA

4 **E-FILING CERTIFICATE OF SERVICE**

5 STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

6 At the time of service, I was over 18 years of age and not a party to the action. My business
7 address is One Sansome Street, Suite 1400, San Francisco, California 94104.

8 On August 5, 2009, I served the following document(s):

9 **DEFENDANT U.S. FINANCIAL FUNDING INC.’S**
10 **STIPULATION AND [PROPOSED] ORDER REGARDING U.S. FINANCIAL FUNDING**
INC.’S ANSWER TO PLAINTIFF’S THIRD AMENDED COMPLAINT

11 **The documents were served by the following means:**

12 **[X] E-MAIL TRANSMISSION BY THE COURT’S ELECTRONIC FILING SYSTEM**
TRANSMITTED TO PARTIES IN THIS ACTION.

13 Jeffrey K. Berns jberns@jeffbernslaw.com

14 David M. Arbogast darbogast@law111.com

15 Christopher Peter Fields chrisfields@leefieldslaw.com

16 Edward Young Lee Edlee@leefields.com, or Efields43@yahoo.com

17 Paul R. Kiesel Kiesel@kbla.com

18 Patrick DeBlase deblase@kbla.com

Michael C. Eyerly eyerly@kbla.com

Cgarcia@kbla.com

19 I declare under penalty of perjury under the laws of the State of California that the above is true
20 and correct.

21 **[X] (FEDERAL)** 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.

22 Executed on August 5, 2009, at San Francisco, California.

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24 _____
Arleigh Koulax