STIPULATION AND PROPOSED ORDER CONTINUING HEARING DATES, Case No. CV 08-1219 CR

Keck v. Bank of America et al

Dqc. 50

It is hereby stipulated by the parties, through their respective counsel, as follows:

- 1. On July 7, 2008, in response to the parties' scheduling proposals, the Court set October 31, 2008 as the date for completion of ADR, December 5, 2008, as the date for hearing Defendant Bank of America's Preemption Motion, and April 3, 2009 as the date for hearing Plaintiff's Motion for Class Certification.
- On September 17, 2008, Michael Hassen of Jeffer, Mangels, Butler & Marmaro LLP, replaced Robert Ward of Shartsis Friese LLP as counsel for Defendant TRG Customer Solutions, Inc.
- 3. The parties have agreed to participate in a mediation before the Hon. William Cahill (Ret.) of JAMS. However, as a result of Mr. Hassen's recent appearance as counsel, and the busy schedules of counsel, the parties and the mediator, it has taken some time for the parties to arrange a mutually acceptable date for the mediation. The parties have now agreed to conduct the mediation on December 11, 2008.
- 4. The parties believe that it would be in all of their interests to complete the mediation prior to incurring additional attorneys' fees and costs in this matter.
- 5. In order to afford the parties sufficient time to complete the mediation, the hearing on Defendant's Preemption Motion shall be continued to March 6, 2009, or such other date as the Court may order, and the hearing on Plaintiff's Motion for Class Certification shall be continued to July 10, 2009, or such other date as the Court may order.

DATED: October 13, 2008

CHAVEZ & GERTLER LLP

DATED: October 13, 2008

KELLEY DRYE & WARREN LLP

LAW OFFICE OF PETER FREDMAN

Attorneys for Plaintiff David Keck

By:	Sw Cly		By
	Mark A. Chavez		·

Attorneys for Defendant Bank of America, N.A.

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2	JEFFER, MANGELS, BUTLER & MARMARO LLP		
3			
5	By:/s/ Michael J. Hassen		
6	Attorneys for TRG Customer Solutions, Inc.		
7	d/b/a Telespectrum		
8	ECF Certification		
9	I, Mark A. Chavez, certify that concurrence in the filing of the Stipulation and Proposed		
10	Order Continuing Hearing Dates has been obtained from Thomas E. Gilbertsen and Michael J.		
11	Hassen on behalf of Defendants.		
12	Dated: October 17, 2008 CHAVEZ & GERTLER LLP		
13	By: Zue chu		
14	Mark A. Chavez		
15			
16			
17	-PROPOSED ORDER		
18	Upon the Stipulation of the parties, and good cause appearing;		
19	The date for hearing Defendant/Bank of America's Preemption Motion shall be		
20	continued from December 5, 2008 to March 6, 2009; and		
21	2. The date for hearing Plaintiff's Motion for Class Certification shall be continued		
22	from April 3, 2009 to July 10, 2009 at 10:00 a.m.		
23	IT IS SO ORDERED.		
24	Sign		
25	DATED: October 22 2008 THE HONORA IT IS SO ORDERED United Date		
26	THE HONORAL IT IS SO ORD		
27			
28	Judge Chart		
	STIPULATION AND PROPOSED ORDER CONTINUING HEARING DATES, Case No. CV 08-17-19 CR		
1	DISTRICT		