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Counsel Listed on Following Page

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Samson Lew, on behalf of himself and
classes of those similarly situated,

Plaintiffs,

vs.

Countrywide Financial Corporation;
Countrywide Bank, FSB, Full Spectrum
Lending Division; Countrywide Bank,
N.A.; Countrywide Home Loans, Inc.,
and their respective affiliates and parents
and subsidiaries, and DOES 1-50,

Defendants.

Case No. CV 08 1993 SC

**STIPULATION AND [~~PROPOSED~~]
ORDER TO MOVE CASE
MANAGEMENT CONFERENCE DATE
AND EXTEND DEADLINES FOR
HEARING ON PLAINTIFF'S MOTION
FOR CERTIFICATION**

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Attorneys for Defendants
COUNTRYWIDE FINANCIAL CORPORATION;
FULL SPECTRUM LENDING, a division of Countrywide
Home Loans, Inc. (erroneously sued as COUNTRYWIDE BANK, FSB,
FULL SPECTRUM LENDING DIVISION); COUNTRYWIDE BANK,
FSB
(erroneously sued as COUNTRYWIDE BANK, N.A.); and
COUNTRYWIDE HOME LOANS, INC.

1 **WHEREAS** Plaintiffs noticed the Fed.R.Civ.P. 30(b)(6) deposition and served admissions
2 requests, document requests, and interrogatories on July 22, 2008 and subsequently served an
3 amended deposition notice and amended requests for admission; and

4 **WHEREAS** Defendants served objections and responses to this discovery in August, September
5 and November, 2008; and

6 **WHEREAS** the parties met-and-conferred extensively regarding Plaintiffs' discovery and
7 Defendants' responses in September and October 2008; and

8 **WHEREAS** after the parties were unable to reach agreement on discovery issues including the
9 proper scope of discovery prior to the determination of class certification, Plaintiffs moved to
10 compel cooperation with the 30(b)(6) notice and the interrogatories and document requests during
11 the first week of November 2008, which Defendants subsequently opposed; and

12 **WHEREAS** Magistrate Elizabeth Laporte heard the Plaintiffs' motions to compel on December
13 16, 2008, ordering the parties to reach discovery stipulations based upon guidance she provided
14 as to how she intended to rule on various discovery issues raised in the motions and oppositions
15 filed; and

16 **WHEREAS** the parties filed their proposed orders on discovery stipulations by December 23,
17 2008, as ordered by Magistrate Laporte; and

18 **WHEREAS** in good faith, the parties agreed that Defendants would attempt to comply fully with
19 the stipulated discovery – much of which is anticipated to require considerable effort by
20 Defendants to locate, review and prepare for production – by a target date of January 16, 2009;
21 and

22 **WHEREAS** currently Plaintiffs are required to move for class certification no later than January
23 16, 2009, to be heard on February 20, 2009, the existing date of the Case Management
24 Conference; and

1 **WHEREAS** Plaintiffs contend the discovery sought from Defendants, which Defendants will
2 respond to subject to the stipulated discovery orders as entered or modified by Magistrate
3 Laporte, has a direct bearing on Plaintiffs' anticipated class certification motion; and

4 **WHEREAS**, Plaintiffs are seeking tolling of the applicable statutes of limitations in a separate
5 motion to stay, and Defendants expressly do not stipulate to the tolling of applicable statutes of
6 limitation;
7

8 **THEREFORE**, the parties stipulate and agree to a delay of ninety (90) days in the deadline for
9 Plaintiffs to file a class certification motion, currently scheduled for January 16, 2009, and a
10 postponement, likewise, in the Case Management Conference and class certification motion
11 hearing, currently scheduled for February 20, 2009.

12 DATE: December 31, 2009

13 /s/

14 /s/

15 _____
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19 One Embarcadero Center, Ste. 720
20 San Francisco, CA 94111

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22 Joseph Patrick Breen
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24 SEYFARTH SHAW LLP
25 560 Mission Street, Suite 3000
26 San Francisco, CA 94105

27 **[PROPOSED] ORDER**

28 Pursuant to the parties' stipulation, it is so ORDERED. The case management conference
29 shall be set for 10:00 a.m. on May 22, 2009, and the deadline for hearing on Plaintiffs' class
30 certification motion ("the motion") shall be on the same date, with all other filing deadlines
31 pertaining to the motion adjusted accordingly.

32 DATE: 1/6/09



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Countrywide Financial Corporation;
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and their respective affiliates and parents
and subsidiaries, and DOES 1-50,

Defendants.

4:08-cv-01993 SC
CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2008, I caused the following document:

**Stipulation and [Proposed] Order To Move Case Management Conference Date and
Extend Deadlines For Hearing On Plaintiff's Motion For Certification**

to be filed with the Clerk of Court and served, via ECF, upon the following:

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Dated: December 31, 2008

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