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[COUNSEL OF RECORD ON FOLLOWING PAGE]

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

ELLEN STOODY-BROSER, An Individual,  
Individually And On Behalf Of All Others  
Similarly Situated,

*Plaintiff,*

vs.

BANK OF AMERICA, N.A. and BANK OF  
AMERICA CORPORATION,

*Defendants.*

Case No. 3:08-cv-02705 JSW

**CLASS ACTION**

**JOINT STIPULATION FOR EXTENSION  
OF TIME, PROPOSED BRIEFING  
SCHEDULE/HEARING DATE FOR  
DEFENDANT BANK OF AMERICA  
CORPORATION'S NOTICE OF MOTION  
AND MOTION FOR JUDGMENT ON THE  
PLEADINGS AND ~~PROPOSED~~ ORDER  
AS MODIFIED**

Action Filed: May 29, 2008  
Trial Date: None

*Honorable Jeffrey S. White*

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26 *Attorneys for Defendants Bank of America, N.A. and Bank of America Corporation*

1 Plaintiff Ellen Stody-Broser and Defendants Bank of America, N.A. and Bank of America  
2 Corporation, for good cause, respectfully file this Joint Stipulation for Extension of Time, Proposed  
3 Briefing Schedule/Hearing Date for Defendant Bank of America Corporation's Notice of Motion and  
4 Motion for Judgment on the Pleadings and [Proposed] Order and hereby stipulate as follows:

5 WHEREAS, Plaintiff filed her First Amended Complaint (the "FAC") on September 16,  
6 2011;

7 WHEREAS, on May 10, 2012, this Court denied Defendants' Motion to Dismiss brought  
8 under F.R.Civ.P. 12(b)(6), *see* Dkt. No. 160;

9 WHEREAS, Defendants filed their respective Answers and Affirmative Defenses on June  
10 13, 2012, *see* Dkt. Nos. 164-65;

11 WHEREAS, Defendant Bank of America Corporation filed a Motion for Judgment on the  
12 Pleadings pursuant to F.R.Civ.P. 12(c) on June 13, 2012, *see* Dkt. No. 166; and,

13 WHEREAS, subject to the Court's approval, the parties submit the following briefing  
14 schedule in conjunction with Defendant Bank of America Corporation's Motion for Judgment on the  
15 Pleadings:

- 16 • Plaintiff's opposition brief is currently due on or before June 27, 2012;
  - 17 • Defendant Bank of America Corporation's reply brief is due on or July 3, 2012; and,
  - 18 • The Hearing on Defendant Bank of America Corporation's Motion for Judgment on  
19 the Pleadings is currently scheduled for August 24, 2012 at 9:00 AM.
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1 IT IS HEREBY **STIPULATED** BY ALL PARTIES HERETO that:

2 The parties hereby stipulate that, subject to the Court's approval, the foregoing briefing schedule  
3 shall be modified as follows:

- 4 • Plaintiff's opposition brief shall be due on or before July 27, 2012; and,
- 5 • Defendant Bank of America Corporation's reply brief shall be due on or before August 10,  
6 2012; and,
- 7 • The August 24, 2012 hearing date on Defendant Bank of America Corporation's Motion for  
8 Judgment on the Pleadings shall remain unchanged.

9 **IT IS SO STIPULATED.**

10  
11 DATED: June 25, 2012

By: /s/ David C. Powell

12 David C. Powell  
13 David S. Reidy  
14 Mary J. Hackett  
15 Sharon L. Rusnak  
16 **REED SMITH LLP**

*Attorneys for Defendants Bank of America, N.A. and  
Bank of America Corporation*

17 By: /s/ DEREK G. HOWARD

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26 J. BRIAN McTIGUE  
27 **McTIGUE & VEIS LLP**

*Attorneys for Plaintiff and the Class*

**GENERAL ORDER 45 ATTESTATION**

I, DEREK G. HOWARD, am the ECF User whose ID and password are being used to file this Joint Stipulation for Extension of Time, Proposed Briefing Schedule/Hearing Date for Defendant Bank of America Corporation's Notice of Motion And Motion For Judgment on the Pleadings and [Proposed] Order in compliance with General Order 45, X.B., I hereby attest that Defendants' counsel, Sharon L. Rusnak, has concurred in this filing.

DATED: June 25, 2012

By: /s/ DEREK G. HOWARD  
DEREK G. HOWARD  
KEVIN R. ALLEN  
MINAMI TAMAKI, LLP

~~PROPOSED~~ ORDER

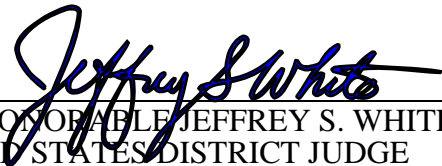
PURSUANT TO STIPULATION, IT IS ORDERED that:

The Court hereby adopts the parties' proposed briefing schedule regarding Defendant Bank of America Corporation's Motion for Judgment on the Pleadings (*see* Dkt. No. 166) as follows:

- Plaintiff's opposition brief shall be due on or before July 27, 2012; and,
- Defendant Bank of America Corporation's reply brief shall be due on or before August 10, 2012; and,
- The August 24, 2012 hearing date on Defendant Bank of America Corporation's Motion for Judgment on the Pleadings shall ~~remain unchanged.~~ be continued to September 7, 2012 at 9:00 a.m.

IT IS SO ORDERED.

DATED: June 27, 2012

  
THE HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE