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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ELLEN STOODY-BROSER,

Plaintiff,

No. C 08-02705 JSW

v.

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

Defendants.

**AMENDED ORDER SETTING
BRIEFING SCHEDULE AND
CONTINUING HEARING ON
MOTIONS**

This matter has set for a hearing on November 14, 2008 on Defendants' motion to dismiss and Defendants' motion to stay this action pending a ruling on the motion to dismiss. On November 10, 2008, Defendants filed a motion to stay this Court's ruling on the motion to dismiss, for leave to take limited discovery, and to amend its motion to dismiss and noticed it to be heard on January 23, 2009. The Court HEREBY CONTINUES the hearing on Defendants' motion to dismiss and Defendants' motion to stay this action pending a ruling on the motion to dismiss to January 23, 2009 at 9:00 a.m.

The opposition to Defendants' motion to stay filed on November 10, 2008 shall be filed no later than November 25, 2008 and a reply shall be filed no later than December 5, 2008.

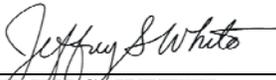
If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

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The Court FURTHER ORDERS that the case management conference scheduled for December 5, 2008 is CONTINUED to February 13, 2009 at 1:30 p.m.

IT IS SO ORDERED.

Dated: November 12, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE