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12 FIRST AMERICAN TITLE COMPANY, FIRST
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13 COMPANY, and FIRST AMERICAN
FINANCIAL CORPORATION

14 [Additional counsel listed on next page]

15
16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19 HUGO ZALDANA, *et al.*,
20
Plaintiffs,
21
v.
22 KB HOME, *et al.*,
23
Defendants.

Case No. C08-03399-MMC

CLASS ACTION

**STIPULATION AND ORDER
RESETTING BRIEFING SCHEDULE
FOR DEFENDANTS' MOTION TO
STAY PROCEEDINGS AND
RENOTICING HEARING**

Date: August 26, 2011
Time: 9:00 a.m.
Place: Courtroom 7
Hon. Maxine M. Chesney

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10 RECITALS

11 1. This stipulation concerns the resetting of the briefing schedule for Defendants’
12 Motion to Stay and renoticing of the hearing date for such motion in light of the agreement in
13 principle to settle this action that the parties reached on August 4, 2011.

14 2. On July 21, 2011, Defendants filed their Motion to Stay (the “Motion”). Hearing on
15 the Motion was set for August 26, 2011 at 9:00 a.m. Since the time of that filing, the parties have
16 been engaged in negotiations to resolve the case and reached an agreement in principle to settle this
17 action yesterday. Accordingly, the parties agreed there was no need to prepare an opposition to the
18 Motion to be filed on August 4, 2011, the current deadline.

19 3. To enable the parties to complete a final settlement agreement, the parties request
20 that the briefing schedule for the Motion be reset as follows with the hearing date renoticed for
21 September 9, 2011.

22 Plaintiffs’ Opposition due: August 18, 2011

23 Defendants’ Reply due: September 1, 2011

24 STIPULATION

25 THEREFORE, the parties stipulate and request that the Court order as follows:

26 1. Good cause exists to grant the parties’ request to reset the briefing schedule for
27 Defendants’ Motion to Stay and renotice the hearing date.

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2. The hearing date for the Motion to Stay is renoticed to September 9, 2011. Plaintiffs' opposition to the Motion to Stay shall be filed on August 18, 2011. Defendants' reply to the Motion to Stay shall be filed on September 1, 2011.

3. No other deadlines or dates set by the Court are or will be affected by this Order and Stipulation.

IT IS SO STIPULATED

DATED: August 5, 2011

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Thomas E. Loeser
Steve W. Berman
Thomas E. Loeser

LAW OFFICE OF PETER FREDMAN

Peter B. Fredman

Attorneys for Plaintiff HUGO ZALDANA

DATED: August 5, 2011

MUNGER, TOLLES & OLSON LLP

By: /s/ Bruce A. Abbott
Bruce A. Abbott
Attorneys for Defendant KB HOME

DATED: August 5, 2011

BRYAN CAVE LLP

By: /s/ Jennifer A. Jackson
Jennifer A. Jackson
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FINANCIAL CORPORATION;
COUNTRYWIDE HOME LOANS, INC.;
COUNTRYWIDE MORTGAGE VENTURES,
L.L.C.; and COUNTRYWIDE KB HOME
LOANS, a Series of COUNTRYWIDE
MORTGAGE VENTURES L.L.C.

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DATED: August 5, 2011

SNR DENTON US LLP

By: /s/ Ian R. Barker
Ian R. Barker
Attorneys for Defendants FIRST AMERICAN
TITLE COMPANY, FIRST AMERICAN TITLE
INSURANCE COMPANY and FIRST
AMERICAN FINANCIAL CORPORATION


ORDER

1. The hearing on Defendants' Motion to Stay is renoticed to September 9, 2011.
2. Plaintiffs' Opposition to the Motion to Stay shall be filed August 18, 2011.

Defendants' Reply to the Motion to Stay shall be filed September 1, 2011.

IT IS SO ORDERED

Date: August 5, 2011


Hon. Maxine M. Chesney
U.S. DISTRICT JUDGE

ECF CERTIFICATION: I, Ian R. Barker, the filer of this ECF Document, hereby certify that the concurrence to this stipulation has been obtained by the above ECF registrants on behalf of their respective clients in this case.

/s/ Ian R. Barker
Ian R. Barker

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