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11				
12	UNITED STATES	DISTRICT COURT		
13	UNITED STATES DISTRICT COURT			
14	NORTHERN DISTRICT OF CALIFORNIA			
15	SAN FRANCI	SCO DIVISION		
16				
17	HUGO ZALDANA and GARY GUARDINEER,) individually, and on behalf of all others similarly) situated,	Case No. CV-08-3399 MMC		
18) Plaintiffs,)	(Judge Maxine M. Chesney)		
19	v.)			
20) KB HOME, a Delaware corporation;	STIPULATION AND [PROPOSED] ORDER TO RESCHEDULE MARCH 6, 2009 CASE MANAGEMENT		
21 22	COUNTRYWIDE FINANCIAL) CORPORATION dba COUNTRYWIDE HOME) LOANS, a Delaware corporation; and)	CONFERENCE		
22	FIRST AMERICAN TITLE COMPANY, a) California corporation,)			
24	Defendants.)			
25)			
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28				
	STIPULATION AND [PROPOSED] ORDER REGARDING SCHEDULE FOR RESPONSIVE PLEADINGS Case No. 08-3399-MMC	Printed on Recycled Paper		
		Dockets.Justi		

1	STIPULATION		
2	WHEREAS, this action was originally filed on July 15, 2008;		
3	WHEREAS, Plaintiffs filed a First Amended Complaint on or about October 9, 2008;		
4	WHEREAS, the Defendants filed Motions to Dismiss the First Amended Complaint, which		
5	Motions were granted by this Court in whole (with respect to Defendants Countrywide Financial		
6	Corporation and First American Title Company) and in part (with respect to Defendant KB Home)		
7	pursuant to its February 10, 2009 Order ("Order");		
8	WHEREAS, the Order further stated that, to the extent plaintiffs may be able to cure		
9	deficiencies in the First Amended Complaint, Plaintiffs have leave to file a Second Amended		
10	Complaint, which shall be filed no later than March 13, 2009;		
11	WHEREAS, Plaintiffs presently intend to file a Second Amended Complaint;		
12	WHEREAS, a Case Management Conference in this matter is currently scheduled for March		
13	6, 2009;		
14	WHEREAS, the parties agree that, in the interests of judicial economy, it is desireable to		
15	continue the Initial Case Management Conference until after the Second Amended Complaint is filed		
16	or after any motions to dismiss the Second Amended Complaint are resolved depending on the		
17	content of the Second Amended Complaint.		
18	WHEREFORE, in the interest of judicial economy, the parties hereby agree and stipulate, and		
19	request that the Court continue the Initial Case Management Conference to a date to be determined		
20	by further stipulation and proposed order to be submitted no later than March 20, 2009. The parties		
21	further agree that the corresponding deadlines to serve their initial disclosures, file a Rule 26(f)		
22	report, and file a case management conference statement are similarly continued.		
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	STIPULATION AND [PROPOSED] ORDER REGARDING SCHEDULE FOR RESPONSIVE PLEADINGS Case No. 08-3399-MMC2Printed on Recycled Paper		

1	STIPULATION	
2	2 IT IS SO STIPULATED.	
3	DATED: February 17, 2009 HAGENS BERMAN SOBOL SHAPIRO LLP	
4	LAW OFFICE OF PETER B. FREDMAN	
5		
6 7	Peter B. Fredman	
8	GARY GUARDINEER, individually, and on beh	nalf
9	DATED: February 17, 2009 REED SMITH LLP	
10		
11		
12	2 Attorney for Defendant FIRST AMERICAN TIT COMPANY	
13		
14	DATED: February 17, 2009 BRYAN CAVE LLP	
15	By <u>/s/</u> Robert E. Boone III	
16	Jennifer A. Jackson	
17	Attorneys for Defendant COUNTRYWIDE FINANCIAL CORPORATION	
18	DATED: February 17, 2009 K & L GATES LLP	
19		
20		
21	Attorney for Defendant KB HOME	
22	ECF CERTIFICATION: Matthew G. Ball, the filer of this ECF Document, hereby certifies	
23	that the concurrence to this stipulation has been obtained by ECF registrants Marshall C. Wallace,	
24	Robert E. Boone III and Peter B. Fredman on behalf of their respective clients in this case.	
25	5	
26		
27	Matthew G. Ball	
28	3	
	STIPULATION AND [PROPOSED] ORDER REGARDING SCHEDULE FOR RESPONSIVE PLEADINGS 3 Printed on Recycled F Case No. 08-3399-MMC	'aper

1	<u>ORDER</u>		
2	Pursuant to the stipulation of the parties, and good cause appearing therefore, the March 6,		
3	is continued to June 12, 2009. 2009 Case Management Conference shall be continued to be determined by further stipulation and		
4	-proposed order to be submitted no later than March 20, 2009. The corresponding deadlines for the		
5	parties to serve their initial disclosures, file a Rule 26(f) report, and file a case management		
6	conference statement are similarly continued. Should the parties, after the SAC is filed, determine		
7	an earlier date is preferable, they may submit a joint stipulation to that effect.		
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9	IT IS SO ORDERED		
10			
11	Dated:_February 20, 2009 Hun. Maxine M. Chesney		
12	United States District Court Judge		
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28	STIPULATION AND [PROPOSED] ORDER REGARDING		
	SCHEDULE FOR RESPONSIVE PLEADINGS 4 Printed on Recycled Paper Case No. 08-3399-MMC		