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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN FRANCISCO DIVISION**

11 JAMES A. BENEDICT, individually and on
 12 behalf of all others similarly situated,

13 Plaintiff,

14 vs.

15 CITIBANK, N.A., a national banking
 16 association organized under the laws of the
 United States of America, THE STUDENT
 17 LOAN CORPORATION, a Delaware
 Corporation,

18 Defendants.

CASE NO. 08-04230 WHA

**STIPULATION TO CONTINUE
 HEARING DATE ON DEFENDANTS'
 MOTION TO COMPEL
 ARBITRATION AND CONTINUE
 CASE MANAGEMENT
 CONFERENCE AND ~~PROPOSED~~
 ORDER**

**[DECLARATION OF ANDREW A.
 AUGUST FILED CONCURRENTLY
 HEREWITH]**

[Local Rule 6-1(a)]

21
 22 WHEREAS, on January 28, 2009, this Honorable Court granted the parties' stipulated
 23 request to set the hearing date on the Motion to Compel Arbitration filed by defendants Citibank,
 24 N.A. and The Student Loan Corporation ("Defendants") for April 27, 2009 and continued the
 25 Case Management Conference to May 4, 2009;

26 WHEREAS, the parties have agreed upon the principal terms of a settlement of this
 27 action;
 28

1 WHEREAS, plaintiff contemplates filing a Request for Dismissal and a Motion for
2 Attorneys' Fees;

3 WHEREAS, the parties have agreed, to facilitate settlement and dismissal of this action,
4 to continue the hearing on Defendants' Motion to Compel Arbitration;

5 IT IS HEREBY STIPULATED by and between the parties hereto, through their respective
6 counsel of record, pursuant to Local Rule 6-1(a), that the hearing date for Defendants' Motion to
7 Compel Arbitration shall be continued until June 22, 2009. Plaintiff's opposition shall be due no
8 later than June 1, 2009 and Defendants' reply due no later than June 8, 2009. Further, the
9 PARTIES STIPULATE that the Initial Case Management Conference shall be continued from
10 May 4, 2009 at 1:30 p.m. to July 27, 2009 at 1:30 p.m.

11 DATED: April 6, 2009

PINNACLE LAW GROUP LLP

12
13
14 By: 

Andrew A. August, Attorneys for Plaintiff

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16
17 DATED: April 6, 2009

STROOCK & STROOCK & LAVAN LLP

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19 By: 

David W. Moon, Attorney for Defendants

20
21
22 **ORDER**

23 Based on the foregoing stipulation of counsel and good cause appearing therefore, IT IS
24 HEREBY ORDERED as follows:

- 25 (1) The hearing date for Defendants' Motion to Compel Arbitration shall be set for
26 June 22, 2009. Plaintiff's opposition shall be due no later than June 1, 2009 and
27 Defendants' reply due no later than June 8, 2009; and
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(2) The Initial Case Management Conference is continued from May 4, 2009 to July 27, 2009 at 1:30 p.m

PURSUANT TO STIPULATION OF COUNSEL, IT IS SO ORDERED.

Dated: April 10, 2009

