

1 **LAW AND MEDIATION OFFICE OF RICHARD PARIS**

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Attorneys for Plaintiffs WILLIAM and

5 VERONICA FORD

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**UNITED STATES DISTRICT COURT**

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**NORTHERN DISTRICT OF CALIFORNIA**

9

10 WILLIAM FORD, VERONICA FORD

Case No. C 08 4276-SC

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Plaintiffs,

12

vs.

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING INITIAL  
SCHEDULING CONFERENCE**

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13 WELLS FARGO HOME MORTGAGE,  
WELLS FARGO BANK N.A.,  
14 ELIZABETH A. MARQUEZ, AND DOES  
1 THOURGH 50, INCLUSIVE

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Defendants.

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This Stipulation is entered into by Plaintiffs WILLIAM and VERONICA

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FORD (“Plaintiffs”) and Defendants WELLS FARGO HOME MORTGAGE, a division

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of WELLS FARGO BANK N.A. (collectively “Wells Fargo”).

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WHEREAS, Plaintiffs filed their Complaint in State Court.

21

WHEREAS, on September 10, 2008, Wells Fargo removed this action to  
22 federal court.

23

WHEREAS, pursuant to the Court’s Scheduling Order, the Initial Scheduling  
24 Conference is set for December 19, 2008. Accordingly, the parties are required to  
25 hold their Fed. R. Civ. P. 26(f) conference and prepare and submit to the Court a joint  
26 status report that includes a Rule 26(f) discovery plan by December 12, 2008.

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WHEREAS, Wells Fargo filed a Motion to Dismiss pursuant to Fed. R. Civ. P.  
28 12(b)(6), seeking a complete dismissal of all Plaintiffs’ claims.

1 WHEREAS, the pending Motion to Dismiss will determine the scope and  
2 extent of discovery, if any, needed in this action.

3 WHEREAS, the Court has now taken Wells Fargo’s Motion to Dismiss under  
4 advisement, vacating the hearing date of November 21, 2008.

5 WHEREAS, the parties agree that good cause exists for continuing the Initial  
6 Status Conference since conducting a Rule 26(f) conference, exchanging Rule 26(a)  
7 initial disclosures and preparing a joint status report at this time would be terribly  
8 inefficient, as it is unknown what claims, if any, will remain following the Court’s  
9 ruling on Wells Fargo’s Motion to Dismiss, when such Order will be entered such  
10 that discovery in this action could be commenced, and the extent of any discovery  
11 that is necessary in this action, and that setting informed deadlines for discovery,  
12 dispositive motions, or trial would be difficult at this time.

13 NOW, THEREFORE, Plaintiffs and Wells Fargo, through their respective  
14 counsel of record, hereby stipulate and respectfully request that the Court continue the  
15 Initial Status Conference until January 19, 2009, or as soon thereafter as may be set  
16 by the Court.

17 This stipulation is without prejudice to the rights, claims, defenses and arguments of  
18 all parties.

19 **IT IS SO STIPULATED.**

20 Dated: November 24, 2008

**LAW AND MEDIATION OFFICE OF  
RICHARD PARIS**

21  
22 By: \_\_\_\_\_  
23 /s/ Richard Paris  
24 Attorneys for Plaintiffs WILLIAM and  
25 VERONICA FORD

26 Dated: November 24, 2008

**SEVERSON & WERSON, P.C.**

27 By: \_\_\_\_\_  
28 /s/

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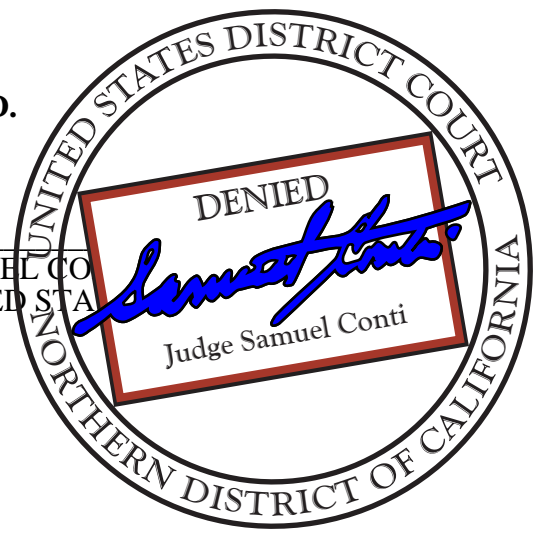
Joshua E. Whitehair  
Attorneys for Defendants  
WELLS FARGO HOME MORTGAGE,  
WELLS FARGO BANK, N.A.

**Pursuant to the Stipulation, IT IS SO ORDERED.**

11/25/08

Date \_\_\_\_\_

SAMUEL CO  
UNITED STA



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7 Attorney for Plaintiffs,  
8 WILLIAM and VERONICA FORD

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA

11 WILLIAM FORD, VERONICA FORD,

12 Plaintiffs,

13 vs.

14 WELLS FARGO HOME MORTGAGE,  
15 WELLS FARGO BANK N.A., ELIZABETH  
16 A. MARQUEZ, and DOES 1 THROUGH 50,  
17 INCLUSIVE,

18 Defendant

) Case No.: C 08 4276-SC

) **CERTIFICATE OF SERVICE**

19 I am employed in the City and County of Marin County, State of California. I am over the  
20 age of 18 and not a party to the within action. My business address is 324 Knight Drive, San Rafael,  
21 CA, 94901.

22 On November 24, 2008, I caused to be served on the interested parties in said action the  
23 within

- 24 1. STIPULATION AND [PROPOSED] ORDER CONTINUING INITIAL SCHEDULING  
25 CONFERENCE to

Joshua E. Whitehair  
Severson & Werson  
One Embarcadero Center, Suite 2600  
San Francisco, CA 94111

Executed on November 24, 2008, in San Rafael, California.

/s/ \_\_\_\_\_  
Richard Paris

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