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 Bank of America, National Association  
 12 (erroneously sued as "Bank of America")

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 RICHARD ADAME, CONNIE G.  
 16 BENDER, and CONSTANCE DAVIS

17 Plaintiff,

18 v.

19 BANK OF AMERICA, NATIONAL  
 20 ASSOCIATION (erroneously sued as  
 "Bank of America")

21 Defendant.

Case No. CV 09-0129 SI

**STIPULATED REQUEST TO RESERVE  
 HEARING DATES FOR DEFENDANT'S  
 MOTIONS FOR SUMMARY JUDGMENT**

Judge: Hon. Susan Illston

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**STIPULATION**

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2           1. Defendant Bank of America, N.A. intends to file three motions for summary judgment  
3 (one as to each Plaintiff).

4           2. The parties hereto through their respective attorneys of record hereby stipulate and  
5 agree to set the hearings for Defendant's first motion for on June 11, 2010 at 9:00 a.m. The motion  
6 will follow the regular briefing schedule.

7           3. The parties hereto through their respective attorneys of record hereby stipulate and  
8 agree to set the hearings for Defendant's second motion for July 16, 2010 at 9:00 a.m. The motion  
9 will follow the regular briefing schedule.

10          4. The parties hereto through their respective attorneys of record hereby stipulate and  
11 agree to set the hearings for Defendant's third motion for September 17, 2010 at 9:00 a.m.  
12 Defendant's opening brief shall be filed on or before July 23, 2010. Plaintiff's brief in opposition  
13 shall be filed on or before August 6, 2010. Defendant's reply brief shall be filed on or before  
14 September 3, 2010.

15          5. Both parties agree to the stipulation as indicated by their signatures below. The parties  
16 respectfully request that the Court approve the Stipulation and enter an Order thereupon. A form of  
17 proposed Order is filed herewith.

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Respectfully submitted,

Dated: April 12, 2010

J. GARY GWILLIAM  
RANDALL E. STRAUSS  
GWILLIAM, IVARY, CHIOSSO, CAVALLI &  
BREWER

By: /s/Randall E. Strauss  
Randall E. Strauss  
Attorneys for Plaintiffs  
Richard Adame, Connie G. Bender  
and Constance Davis

Dated: April 12, 2010

PATRICIA K. GILLETTE  
GREG J. RICHARDSON  
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Patrick K. Gillette  
Patricia K. Gillette  
Attorneys for Defendant  
Bank of America, National Association

Orrick attests that concurrence in the filing of the document has been obtained from the other signatory,  
which shall serve in lieu of their signature on the document.

**ORDER**

The Court having considered the above Stipulation, and good cause appearing therefore,  
IT IS HEREBY ORDERED that hearing dates for Defendant's Motions for Summary  
Judgment shall be reserved for June ~~11~~<sup>18</sup>, 2010; July 16, 2010; and September 17, 2010 at 9:00 a.m. The  
parties' modified briefing schedule is hereby adopted.

Hon. Susan Illston



UNITED STATES DISTRICT JUDGE

STIPULATED REQUEST TO RESERVE HEARING DATES

Case No. CV 09-0129 SI