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11 Attorneys for Defendant CITIBANK, N.A.

12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 DAVID LEVIN, an individual, on his own)
 15 behalf and on behalf of others similarly situated,)
 16 Plaintiff,)
 17 v.)
 18 CITIBANK, N.A., a national banking)
 19 association,)
 20 Defendant.)

Case No. C09-00350-MMC

**STIPULATION AND ORDER WITH
 RESPECT TO DEFENDANT
 CITIBANK'S MEMORANDUM IN
 SUPPORT OF RULE 12(f) MOTION TO
 STRIKE CERTAIN ALLEGATIONS IN
 PLAINTIFF'S COMPLAINT (DOCKET
 NO. 37)**

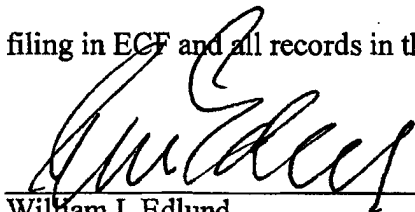
Date: July 17, 2009
 Time: 9:00 a.m.
 Judge: Hon. Maxine M. Chesney

Complaint filed: January 26, 2009

22 Defendant CITIBANK N.A. ("Citibank") by its attorney William I. Edlund
 23 erroneously filed on June 5, 2009 a draft of Defendant Citibank's Memorandum in Support of Rule
 24 12(f) Motion to Strike Certain Allegations in Plaintiff's Complaint (Docket No. 37) and Citibank
 25 having now filed on June 9, 2009 as a corrected filing, Defendant Citibank's Memorandum in
 26

STIPULATION AND ORDER WITH RESPECT TO DEFENDANT CITIBANK'S
 MEMORANDUM ISO OF RULE 12(f) MOTION TO STRIKE CERTAIN ALLEGATIONS IN
 PLAINTIFF'S COMPLAINT

1 Support of Rule 12(f) Motion to Strike Certain Allegations in Plaintiff's Complaint [Corrected]
2 (Docket No. 40), and the parties agree that the corrected filing does not affect the timeliness of the
3 motion, it is hereby stipulated that Docket No. 37 which was filed in error be deleted from the
4 filing in ECF and all records in this case.

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6 _____
7 William I. Edlund
8 Attorneys for Defendant CITIBANK, N.A.

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10 _____
11 David Parisi
12 Attorney for Plaintiff David Levin

13 Dated June 10, 2009

14 Dated: June 11, 2009

IT IS SO ORDERED; the Clerk shall remove
Document # 37 from the docket.

15 
16 _____
17 United States District Court