

1 STROOCK & STROOCK & LAVAN LLP
 2 JULIA B. STRICKLAND (State Bar No. 083013)
 3 STEPHEN J. NEWMAN (State Bar No. 181570)
 4 DAVID W. MOON (State Bar No. 197711)
 5 A.R. KACHADOORIAN (State Bar No. 240601)
 2029 Century Park East
 Los Angeles, California 90067-3086
 Telephone: 310-556-5800
 Facsimile: 310-556-5959

6 Attorneys for Defendant
 CHASE BANK USA, N.A.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 EUGENE REEDE STOCKTON, on behalf of)
 12 himself and all others similarly situated,)

13 Plaintiffs,)

14 vs.)

15 CHASE BANK USA, N.A.)

16 Defendant.)

Case No. C 09-0587-MMC

[Assigned to the Hon. Maxine M. Chesney]

**STIPULATION AND [Proposed] ORDER
 TO EXTEND TIME**

AND ORDER THEREON

1 WHEREAS, on February 9, 2009, plaintiff Eugene Reede Stockton (“Plaintiff”) filed the
2 Class Action Complaint (the “Complaint”);

3 WHEREAS, the response of defendant Chase Bank USA, N.A. (“Chase”) to the Complaint
4 currently is due on or before April 3, 2009;

5 WHEREAS, multiple similar class actions currently are pending in this District and in other
6 federal district courts around the country and a Motion for Transfer and Coordination pursuant to
7 28 U.S.C. § 1407 (the “First MDL Motion”) and a Motion to Transfer and Consolidate pursuant to
8 28 U.S.C. § 1407 (the “Second MDL Motion”) have been filed with the Judicial Panel on
9 Multidistrict Litigation (the “JPML”) and docketed as In Re: Chase Bank USA, N.A., “Check
10 Loan” Contract Litigation, MDL No. 2032;

11 WHEREAS, the First MDL Motion is fully briefed while responses to the Second MDL
12 Motion are due by April 16, 2009, any reply is due by April 21, 2009 and the JPML will thereafter
13 schedule a hearing;

14 WHEREAS, in light of the foregoing, the parties have agreed to an extension of the time for
15 Chase to respond to the Complaint while the First and Second MDL Motions are pending;

16 WHEREAS, pursuant to Local Rule 6-1(a) parties may agree to an extension of time within
17 which to answer or otherwise respond to a complaint, provided the change will not alter the date of
18 any event or any deadline already fixed by Court Order;

19 WHEREAS, pursuant to Local Rules 6-1(b) and 6-2, the parties may request by stipulation
20 an order altering dates and deadlines previously fixed by the Court;

21 WHEREAS, on March 4, 2009, the parties filed a stipulation continuing the date for Chase
22 to respond to the Complaint to April 3, 2009, which was entered by the Court; and

23 WHEREAS, this Stipulation is made in good faith and not for purposes of delay.

24 IT IS HEREBY STIPULATED, by and between the parties, through their respective
25 counsel of record, that:
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

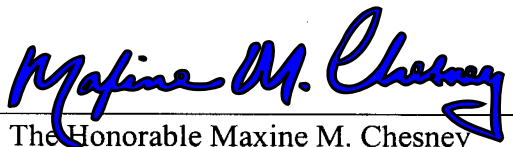
ORDER

IT IS HEREBY ORDERED, pursuant to the Stipulation between the parties, that:

Chase's time to respond to the Complaint is extended until: (a) in the event the First or Second MDL Motion is granted, at such time as may be ordered by the MDL transferee judge; or (b) in the event the First or Second MDL Motion is denied, 10 days after such denial.

IT IS SO ORDERED.

DATED: April 6, 2009


The Honorable Maxine M. Chesney
United States District Judge