

1 MICHAEL R. FARRELL (BAR NO. 173831)
 CATHY A. HONGOLA (BAR NO. 234489)
 2 ALLEN MATKINS LECK GAMBLE
 MALLORY & NATSIS LLP
 3 515 Figueroa Street, Ninth Floor
 Los Angeles, California 90071-3309
 4 Phone: (213) 622-5555
 Fax: (213) 620-8816
 5 E-Mail: mfarrell@allenmatkins.com
 chongola@allenmatkins.com

6 Attorneys for Defendants
 7 FEDERAL DEPOSIT INSURANCE
 CORPORATION AS RECEIVER FOR INDYMAC
 8 BANK, F.S.B. AND INDYMAC FEDERAL BANK,
 FSB; MORTGAGE ELECTRONIC REGISTRATION
 9 SYSTEMS, INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 RANDY W. BOYKO AND MARISA
 14 BOYKO,
 15 Plaintiffs,

16 vs.

17 QUALITY LOAN SERVICE
 CORPORATION; MORTGAGE
 18 ELECTRONIC REGISTRATION
 SYSTEM, INC. (MERS); INDYMAC
 19 BANK, F.S.B. and DOES 1-50, inclusive,,
 20 Defendants.

Case No. CV09-1739 JSW

**STIPULATION AND ~~PROPOSED~~ ORDER
 TO CONTINUE INITIAL CASE
 MANAGEMENT CONFERENCE.**

CMC Date: August 7, 2009
 Time: 1:30 p.m.
 Ctrm: 2
 Judge: Hon. Jeffrey S. White

1 Plaintiffs Randy W. Boyko and Marisa Boyko ("Plaintiffs") Defendants Federal
2 Deposit Insurance Corporation ("FDIC") as Receiver for IndyMac Bank, F.S.B. and
3 Receiver for IndyMac Federal Bank, FSB ("FDIC-Receiver") and Mortgage Electronic
4 Registration Systems, Inc. ("MERS") (the FDIC and MERS will collectively be referred to
5 hereinafter as "Defendants"), hereby stipulate as follows:

6 WHEREAS, on April 21, 2009, the Court issued an Order Setting Initial Case
7 Management Conference and ADR Deadlines setting the Initial Case Management
8 Conference for August 7, 2009;

9 WHEREAS, on April 28, 2009 Defendants filed a Motion to Dismiss each and
10 every cause of action of the Plaintiffs' Complaint;

11 WHEREAS, on July 7, 2009 Plaintiffs' counsel filed a Motion to Withdraw as
12 Counsel for Plaintiffs, noticing a hearing date of August 28, 2009;

13 WHEREAS, on July 9, 2009, in light of the Motion to Withdraw, the Court
14 continued the hearing on Defendants' Motion to Dismiss from July 17, 2009 to October 2,
15 2009;

16 WHEREAS, due to the pending Motion to Withdraw filed by Plaintiffs' counsel and
17 the Motion to Dismiss filed by Defendants, the parties agree the Initial Case Management
18 Conference Set for August 7, 2009 at 1:30 p.m. should be continued until a date after the
19 hearing on the Defendants' Motion to Dismiss in order to conserve the parties' resources
20 and allow Plaintiffs' new counsel, if any, adequate time to become acquainted with this
21 matter;

22 THEREFORE, the parties, by and through their respective counsel, hereby
23 STIPULATE AND AGREE as follows:

24 The Initial Case Management Conference shall be continued to November 6, 2009
25 at 1:30 p.m., or such date thereafter as is convenient for the Court.

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1 **IT IS SO STIPULATED.**

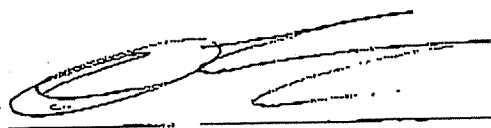
2 Dated: July 13, 2009

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

3
4 By: /s/ Cathy A. Hongola
CATHY A. HONGOLA
Attorneys for Defendant
FEDERAL DEPOSIT INSURANCE
CORPORATION as Receiver for
INDYMAC FEDERAL BANK, FSB and
INDYMAC BANK, F.S.B.; and
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.

9 Dated: July 11, 2009

LAW OFFICE OF OMAR ZAMBRANO

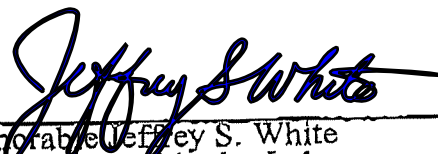
11
12 By: 
Attorneys for Plaintiffs
RANDY W. BOYKO AND MARISA
BOYKO

15 ~~PROPOSED~~ ORDER

16 Good cause appearing, **IT IS HEREBY ORDERED** that the Initial Case
17 Management Conference is continued from August 7, 2009 to November 6, 2009 at 1:30
18 p.m. in Courtroom 2, 17th Floor. The other deadlines established in the Court's Order
19 Setting Initial Case Management Conference and ADR Deadlines are continued
20 accordingly.

21 **IT IS SO ORDERED.**

22 Dated: July 13, 2009


Honorable Jeffrey S. White
United States District Judge