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5 Attorney for Plaintiff  
 KATY M. SULLIVAN  
 6

7 THE UNITED STATES DISTRICT COURT FOR THE  
 8 NORTHERN DISTRICT OF CALIFORNIA

9 KATY SULLIVAN, also known as KATY )  
 MARIE SULLIVAN, )  
 10 )  
 Plaintiff, )  
 11 vs. )  
 12 )  
 WASHINGTON MUTUAL BANK, FA, )  
 13 JPMORGAN CHASE BANK, National )  
 Association, BANK OF AMERICA, )  
 14 National Association, LASALLE BANK, )  
 15 National Association, CALIFORNIA )  
 RECONVEYANCE COMPANY; and Does )  
 16 1 through 10, inclusive, )  
 17 )  
 Defendants. )  
 18 )

**CASE NO.: CV 09-2161 EMC**

**STIPULATION AND APPLICATION  
 FOR EXTENSION OF MEDIATION ;  
 ORDER**

19 This Stipulation is entered into by all of the parties who have appeared before the  
 20 court in the above entitled action, by and through each of their counsel of record, being J.  
 21 Brian McCauley, Esq., for Plaintiff Katy Sullivan, and Reginald Roberts, Jr., Esq. of the firm  
 22 of Adorno Yoss Alvarado & Smith, for Defendants JPMorgan Chase Bank, NA, Bank of  
 23 America, NA, and California Reconveyance Company.

24 This stipulation is respectfully submitted as an application for extension of time  
 25 within which to complete mediation, which has been ordered and initially conducted in this  
 26 action. Request is made pursuant to the ADR Local Rules, including but not limited to  
 27 Local Rule 6.5.

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1 This application and stipulation is made upon the following facts:

2 1. Mediation in this matter was conducted after the submittal of Mediation  
3 Statements by both sides, before Mediator J. Daniel Sharp, on Thursday, December 10,  
4 2009;

5 2. The matter was mediated for a half day, but was unsuccessful. The  
6 mediating Defendants requested further information from Plaintiff regarding financial and  
7 income matter; which were agreed to be provided in addition to certain information  
8 provided in preparation for mediation. Such additional information is believed to be  
9 constructive as a result of Plaintiff's very recent engagement to be married; her future  
10 spouse, on information and belief, will supply additional financial strength and is believed to  
11 be willing to make certain commitments regarding performance of a negotiated resolution.  
12 Plaintiff's fiancé, however, is a French national in military service, and currently (and for the  
13 coming approximate four weeks) is engaged on military assignment in the Middle East. As  
14 a result, obtaining documents to substantiate and augment Plaintiff's available financial  
15 condition is (and has been) in process but such documents have not yet been received.

16 3. All parties to the mediation and this litigation (except Washington Mutual  
17 Bank, NA, which has not yet made an appearance in this action as a result of having been  
18 seized and sold pursuant to Federal Deposit Insurance Corp. (FDIC) action) are in favor of  
19 this application and concur in the request;

20 4. As a result of the needed period to obtain additional financial documentation  
21 in a form acceptable to Defendants, all parties request an extension to and including March  
22 1, 2010 for the completion of mediation before J. Daniel Sharp, appointed mediator.

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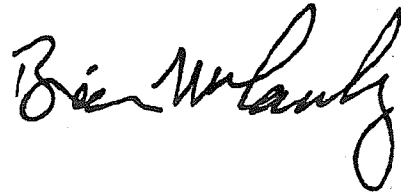
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Dated: January 4, 2010

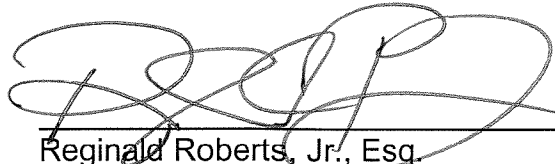
Respectfully submitted,  
Law Offices of J. Brian McCauley  
Professional Corporation



By: \_\_\_\_\_  
J. Brian McCauley, Esq.  
Attorney for Plaintiff  
KATY SULLIVAN

Dated: January 4, 2010

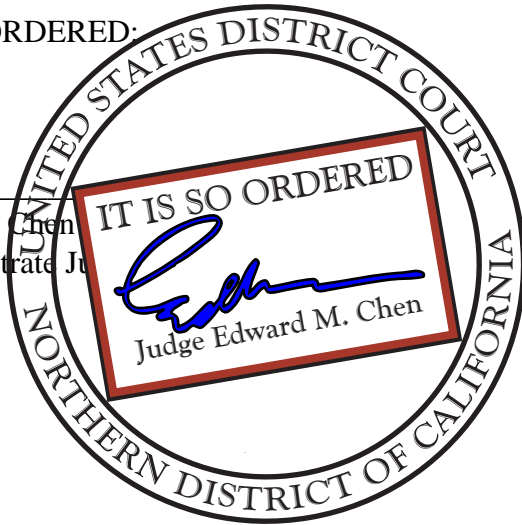
Respectfully submitted,  
Adorno Yoss Alvarado & Smith



By: \_\_\_\_\_  
Reginald Roberts, Jr., Esq.  
Attorney for Defendants JPMorgan Chase  
Bank, NA, Bank of America, NA and  
California Reconveyance Company

IT IS SO ORDERED:

Edward M. Chen  
U.S. Magistrate Judge



1  
2 **PROOF OF SERVICE**

3 I, the undersigned, hereby declare:

4 I am a citizen of the United States, over 18 years of age, and not a party to the within  
5 action. I am employed in the County of San Francisco; my business address is One Market  
6 Street, Suite 1600, San Francisco, CA 94105.

7 On January 4, 2010, I served the within:

8 **STIPULATION AND APPLICATION FOR EXTENSION OF MEDIATION**

9 on all parties in this action, as addressed below, by causing a true copy thereof to be  
10 distributed as follows:

11 J. Daniel Sharp  
12 Folger, Levin & Kahn, LLP  
13 275 Battery St., 23<sup>rd</sup> Flr.  
14 San Francisco, CA 94121


15  **BY MAIL:** The above referenced documents were personally deposited by me in  
16 the U.S. mail with the U.S. Postal Service on the day stated above with  
17 U.S., First-class postage thereon fully prepaid.

18  **BY FAX:** I caused such documents to be transmitted via facsimile to the stated  
19 parties at their respective facsimile numbers.

20  **BY EXPRESS CARRIER** I caused such documents to be collected by an agent for  
21 [company name] to be delivered to the offices of stated  
22 parties.

23 I declare under penalty of perjury under the laws of the State of California that the  
24 foregoing is true and correct.

25 Dated: January 4, 2010

26 

27 \_\_\_\_\_  
28 Brian McCauley