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6 Attorneys for defendant FEDERAL DEPOSIT
 INSURANCE CORPORATION, as Receiver for
 INDYMAC FEDERAL BANK
 7

8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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|------------------------------------------------------|---|-------------------------------------|
| 11 MAJIMAN HAFIZ, |) | Case No. C 09-02300-SI |
| |) | |
| 12 Plaintiff, |) | STIPULATION AND [PROPOSED] |
| |) | ORDER TO VACATE INITIAL CASE |
| 13 vs. |) | MANAGEMENT CONFERENCE |
| |) | PENDING RESOLUTION OF |
| 14 INDYMAC FEDERAL BANK, a Business |) | DEFENDANT FEDERAL DEPOSIT |
| entity, form unknown; QUALITY LOAN |) | INSURANCE CORPORATION'S |
| 15 SERVICE CORP., a Business entity, form |) | MOTION TO STAY PROCEEDINGS |
| unknown; THE MORTGAGE STORE |) | |
| 16 FINANCIAL, INC., a business entity, form |) | |
| unknown; and all persons unknown claiming |) | |
| 17 any legal or equitable right, title estate, lien, |) | Complaint Filed: 04/30/09 |
| or interest in the property described in this |) | |
| 18 Complaint adverse to Plaintiff's title thereto, |) | |
| and Does 1 through 30, inclusive, |) | |
| |) | |
| 19 Defendants. |) | |
| |) | |
| 20 |) | |

21 Defendant FEDERAL DEPOSIT INSURANCE CORPORATION, as Receiver for
 22 INDYMAC FEDERAL BANK ("FDIC"), and Plaintiff Majiman Hafiz, by and through their
 23 respective counsel, respectfully request and make the following stipulation:

24 1. Whereas, defendant FDIC has filed a Motion to Stay Proceedings pursuant to 12
 25 U.S.C. Section 1821(d)(12)(A)(ii) and (B) of the Financial Institutions Reform, Recovery and
 26 Enforcement Act of 1989 ("FIRREA");

27 2. Whereas, the hearing on defendant's motion is currently set for September 18,
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1 2009 at 9:00 a.m. before the Court;

2 3. Whereas, if defendant’s motion is granted, all proceedings will be stayed for
3 ninety (90) days from the date of the September 18th hearing pursuant to FIRREA;

4 4. Whereas, the Court’s May 22, 2009 order setting Initial Case Management
5 Conference and ADR Deadlines presently requires the parties to meet their respective obligations
6 under Rule 26(f) of the Federal Rules of Civil Procedure (“Fed. R. Civ. P.”) and applicable Local
7 Rules of this Court in preparation for the Court’s Initial Case Management Conference currently
8 set for October 23, 2009 at 2:30 p.m.;

9 5. Whereas, the parties believe it would be in the interests of efficiency and
10 economy to vacate the Initial Case Management Conference to await the outcome of defendant’s
11 Motion to Stay Proceedings;

12 **IT IS STIPULATED:**

13 That the parties’ obligations under Fed. R. Civ. P. 26(f) and the Local Rules of this Court
14 are postponed pending the resolution of defendant’s Motion to Stay Proceedings.

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Respectfully submitted,

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Dated: August 28, 2009

LIVINGSTON LAW FIRM

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/s/ Jason G. Gong

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By: _____
Renée Welze Livingston
Jason G. Gong
Attorneys for defendant FEDERAL
DEPOSIT INSURANCE CORPORATION,
as Receiver for INDYMAC FEDERAL
BANK

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Dated: August 28, 2009

LAW OFFICES OF MAHESH BAJORIA

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/s/ Mahesh Bajoria

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By: _____
Mahesh Bajoria
Attorney for Plaintiff Majiman Hafiz

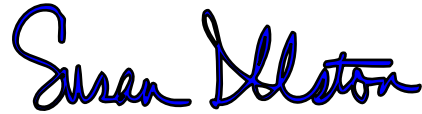
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ORDER

IT IS HEREBY ORDERED that the Initial Case Management Conference currently set for October 23, 2009 is VACATED pending resolution of defendant's Motion to Stay Proceedings.

Dated: _____, 2009



HONORABLE SUSAN ILLSTON
United States District Judge