REUBEN L. NOCOS, ESQ. [SBN 238011] 1 Nocos Law Firm, A Professional Corporation 1900 S. Norfolk St., Ste. 350 2 San Mateo, CA 94403 3 Telephone # (650) 320-1747 Fax # (650) 577-2343 rlnocos@nocoslaw.com 5 Attorneys for Plaintiff ANNABELLA BRITTAIN 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION 9 10) Case No.: 3:09-CV-02953-SC ANNABELLA BRITTAIN 11 STIPULATION TO EXTEND TIME TO Plaintiff, FILE AMENDED COMPLAINT 12 13 VS. 14 INDYMAC BANK, FSB a business entity, form unknown; AMERICAN RESIDENTIAL, a 15 business entity, form unknown; QUALITY LOAN SERVICE CORP., a business entity 16 form unknown; and DOES 1 through 25, 17 inclusive. 18 Defendants. 19 Plaintiff, ANNABELLA BRITTAIN and Defendant, ONE WEST BANK, FSB fka 20 INDYMAC BANK, FSB ("Defendant") stipulate and agree, by and through their respective 2.1 counsel that: 22 23 1. A Motion to Dismiss was filed by Defendant set for a hearing on September 11, 24 2009: 25 2. The Court issued an Order on September 8, 2009 asking Defendant to file a Request 26 for Judicial Notice, deemed the matter submitted at that time and, the September 11, 2009 27 28 hearing vacated, with no appearances and oral arguments; 1 Opposition to Motion to Dismiss.

- 3. On September 16, 2009, the Court issued its Order granting Defendants' Motion to Dismiss and allowing Plaintiff to amend certain causes of action within 30 days of the Order.
 - 4. The First Amended Complaint was due to be filed by October 16, 2009.
- 5. Plaintiff's counsel has been sick and continues to be sick with the flu and will not be able to prepare a First Amended Complaint in time.
- 6. Accordingly, Plaintiff and Defendant, stipulate and agree that Plaintiff will have until Monday, October, 19, 2009 to file an amended Complaint.

IT IS SO STIPULATED.

Dated:	October 15, 2009	/s/ Reuben L. Nocos Reuben L. Nocos, Esq. Attorney for Plaintiff ANNABELLA BRITTAIN
Dated:	October 15, 2009	/s/ Matthew Podmenik Matthew Podmenik, Esq. Attorney for Defendant ONE WEST BANK, FSB

[PROPOSED] ORDER

Pursuant to the above Stipulation it is hereby ordered that Plaintiff's First Amended Complaint will be filed by Monday, October 19, 2009.

