

1 P. CHRISTIAN SCHELEY, ESQ. BAR#: 125493
 2 PAMELA B. BUMATAY, ESQ. BAR#: 244722
 3 CLAPP, MORONEY, BELLAGAMBA, VUCINICH,
 4 BEEMAN & SCHELEY
 5 A PROFESSIONAL CORPORATION
 6 1111 Bayhill Drive, Suite 300
 7 San Bruno, CA 94066
 8 (650) 989-5400 (650) 989-5499 FAX

9 Attorneys for Defendant,
 10 IZT MORTGAGE, INC. d/b/a/ AMERITECH MORTGAGE

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 LEHMAN BROTHERS HOLDING, INC.,
 14 Plaintiff,
 15 v.
 16 IZT MORTGAGE, INC. d/b/a/
 17 AMERITECH MORTGAGE,
 18 Defendant.

CASE NO.: C09-04060 EMC

**STIPULATION AND ORDER TO
 CONTINUE TIME TO COMPLETE
 MEDIATION ; ORDER**

JURY TRIAL DEMANDED

19 IT IS HEREBY STIPULATED by and between the parties, through their counsel of record,
 20 that the deadline to complete mediation in this matter be continued until October 29, 2010.

21 On January 8, 2010, the Court issued its Case Management and Pretrial Order in this matter.
 22 It was ordered that mediation be completed by May 14, 2010. After a change in mediators, it was
 23 then stipulated and ordered that mediation be completed by August 20, 2010.

24 Although mediation in this matter was previously scheduled, due to an unforeseen and
 25 unexpected personal matter by those who had settling authority on behalf of Defendant, Defendant
 26 communicated that they were unable to attend the mediation. Daniel Bowling, the appointed
 27 mediator, decided to cancel mediation.

28 **STIPULATION AND ORDER TO CONTINUE TIME
 TO COMPLETE MEDIATION
 CASE NO.: C09-04060 EMC**

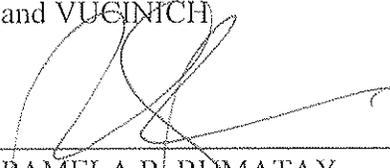
1 After further consultation with Mr. Bowling, and after discussion with counsel, it was
2 recommended that the mediation deadline be continued. The parties have consulted with each other,
3 and have agreed that **Mediation will be scheduled for October 14, 2010**, and that **Mediation in this**
4 **matter will be completed by October 29, 2010.**

5 The parties do not intend to extend or disrupt any other deadlines already ordered by the court.
6 Therefore, such a continuance would have no known effect on the scheduling of further matters in this
7 case.

8 This stipulation is accompanied by Pamela B. Bumatay's declaration setting forth with
9 particularity, the reasons for the requested continuance, all previous time modifications in the case,
10 and the effect of the requested time modification on the schedule of the case.

11 DATED: August 20, 2010

CLAPP, MORONEY, BELLAGAMBA
and VUCINICH

12
13
14 By: 
15 PAMELA B. BUMATAY
16 Attorney for Defendant,
17 IZT MORTGAGE d/b/a/ AMERITECH
18 MORTGAGE

19 DATED: August _____, 2010

REILLY POZNER, LLP

20 By: _____
21 MICHAEL A. ROLLIN
22 Attorney for Plaintiff,
23 LEHMAN BROTHERS HOLDING, INC.

24 **ORDER:**

25 Mediation in this matter must be completed by October 29, 2010.

26 IT IS SO ORDERED

27 By: _____
28 FEDERAL COURT MAGISTRATE JUDGE
CHEN

1 After further consultation with Mr. Bowling, and after discussion with counsel, it was
2 recommended that the mediation deadline be continued. The parties have consulted with each other,
3 and have agreed that **Mediation will be scheduled for October 14, 2010**, and that **Mediation in this**
4 **matter will be completed by October 29, 2010.**

5 The parties do not intend to extend or disrupt any other deadlines already ordered by the court.
6 Therefore, such a continuance would have no known effect on the scheduling of further matters in this
7 case.

8 This stipulation is accompanied by Pamela B. Bumatay's declaration setting forth with
9 particularity, the reasons for the requested continuance, all previous time modifications in the case,
10 and the effect of the requested time modification on the schedule of the case.

11 DATED: August _____, 2010

CLAPP, MORONEY, BELLAGAMBA
and VUCINICH

14 By: _____
15 PAMELA B. BUMATAY
16 Attorney for Defendant,
17 IZT MORTGAGE d/b/a/ AMERITECH
18 MORTGAGE

18 DATED: August 20th, 2010

REILLY POZNER, LLP

20 By: Michael A. Rollin
21 MICHAEL A. ROLLIN
22 Attorney for Plaintiff,
23 LEHMAN BROTHERS HOLDING, INC.

24 **ORDER:**

25 Mediation in this matter must be completed by October 29, 2010.

26 IT IS SO ORDERED

27 By: _____
28 FEDERAL CO
CHEN

STIPULATION AND ORDER TO CONTINUE TIME
TO COMPLETE MEDIATION
CASE NO.: C09-04060 EMC



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10 IZT MORTGAGE, INC. d/b/a/ AMERITECH MORTGAGE

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 LEHMAN BROTHERS HOLDING, INC.,

14 Plaintiff,

15 v.

16 IZT MORTGAGE, INC. d/b/a/
17 AMERITECH MORTGAGE,

18 Defendant.

CASE NO.: C09-04060 EMC

**DECLARATION OF PAMELA B.
BUMATAY IN SUPPORT OF
STIPULATION AND ORDER TO
CONTINUE TIME TO COMPLETE
MEDIATION**

JURY TRIAL DEMANDED

19 I, PAMELA B. BUMATAY, declare as follows:

20 1. I am an attorney duly licensed to practice law in the State of California and am a
21 Associate of Clapp, Moroney, Bellagamba, Vucinich, Beeman & Scheley. I have personal knowledge
22 of the facts contained in this declaration, and if called as a witness, I could and would competently
23 testify to such facts. The facts set forth in this declaration are true to my knowledge, except those facts
24 which are herein stated upon information or belief and to those facts, I believe them to be true.

25 2. On January 8, 2010, the Court issued its Case Management and Pretrial Order in this
26 matter. It was ordered that mediation be completed by May 14, 2010. After a change in mediators,
27 it was then stipulated and ordered that mediation be completed by August 20, 2010.

28 **DECLARATION OF PAMELA B. BUMATAY IN
SUPPORT OF STIPULATION AND ORDER TO
CONTINUE TIME TO COMPLETE MEDIATION
CASE NO.: C09-04060 EMC**

1 **LEHMAN BROTHERS HOLDINGS, INC. v. IZT MORTGAGE d/b/a/**
2 **AMERITECH MORTGAGE**

3 United States District Court, Northern District of California Case No. C09-04060

4 **PROOF OF SERVICE - Civil**

5 [*Code of Civ. Proc. §§ 1011, 1013, 1031a, 2015.5*]

6 **METHOD OF SERVICE:**

- 7 By Personal Service By Mail By Overnight Delivery
8 By Messenger Service By Facsimile **By E-Mail / Electronic Transmission**
9 By Certified Mail/Return Receipt Request **(CM/ECF - USDC)**

- 10 1. I am a citizen of the United States and am employed in the County of San Mateo, State of
11 California. I am over the age of 18 years and not a party to the within action.
12 2. My place of employment is 1111 Bayhill Drive, Suite 300, San Bruno, CA 94066.
13 3. On the date set forth below, I caused to be served a true and correct copy of the document(s)
14 described as:

15 **STIPULATION AND ORDER TO CONTINUE TIME
16 TO COMPLETE MEDIATION**

- 17 4. I served the document on the persons below, as follows:

18 Michael A. Rollin, Esq.
19 REILLY POZNER, LLP
20 515 South Flower Street, 26th Floor
21 Los Angeles, CA 90071
22 Tel: (213) 236-3576 Fax: (213) 236-3570
23 E-mail: mrollin@rplaw.com

24 **Attys for Plaintiff LEHMAN BROTHERS HOLDINGS, INC.**

- 25 5. The documents were served by the following means (specify):

- 26 **BY ELECTRONIC TRANSMISSION (CM/ECF SYSTEM):** Based on a court
27 order or an agreement of the parties to accept service by e-mail or electronic
28 transmission (CM/ECF - USDC), I caused the documents to be sent to the persons
29 at the email addresses listed in item 4. I did not receive, within a reasonable time
30 after the transmission, any electronic message or other indication that the
31 transmission was unsuccessful.
32 **BY ELECTRONIC MAIL.** On the below date prior to **5:00 p.m. PST**, I
33 transmitted the foregoing document(s) by electronic mail, and the transmission was
34 reported as complete and without error. A true and correct copy of the electronic
35 transmission is attached to this declaration. This method of service was made
36 pursuant to the agreement of counsel.

37 ///

