

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

7 Attorneys for Defendant,
8 IZT MORTGAGE d/b/a/ AMERITECH MORTGAGE

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 OAKLAND DIVISION

12 LEHMAN BROTHERS HOLDING, INC.,

13 Plaintiff,

14 v.

15 IZT MORTGAGE d/b/a/ AMERITECH
16 MORTGAGE,

17 Defendant.

CASE NO.: C09-04060 EMC

**STIPULATION TO EXTEND TIME TO
RESPOND TO PLAINTIFF LEHMAN
BROTHER HOLDINGS, INC.'S
COMPLAINT ; ORDER**

JURY TRIAL DEMANDED

18 IT IS HEREBY STIPULATED by and between the parties, through their counsel of record,
19 that defendant IZT MORTGAGE d/b/a/ AMERITECH MORTGAGE shall have a **30 -day** extension
20 to respond to Plaintiff LEHMAN BROTHERS HOLDING, INC.'S Complaint filed September 1,
21 2009.

22 Defendant IZT MORTGAGE d/b/a/ AMERITECH MORTGAGE shall now have until
23 **October 21, 2009**, to file a response to Plaintiff LEHMAN BROTHERS HOLDING, INC.'S
24 Complaint.

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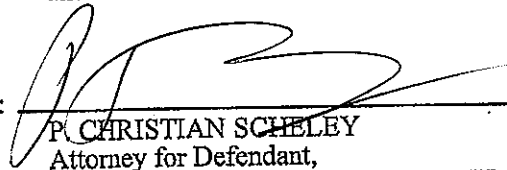
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28 **STIPULATION TO EXTEND TIME TO RESPOND
TO PLAINTIFF LEHMAN BROTHER HOLDINGS,
INC.'S COMPLAINT**

1 DATED: September 18, 2009

CLAPP, MORONEY, BELLAGAMBA
and VUCINICH

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3 By:


P. CHRISTIAN SCHELEY
Attorney for Defendant,
IZT MORTGAGE d/b/a/ AMERITECH
MORTGAGE

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6
7 DATED: September 18, 2009

REILLY POZNER, LLP

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9 By:


MICHAEL A. ROLLIN
Attorney for Plaintiff,
LEHMAN BROTHERS HOLDING, INC.

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14 IT IS SO ORDERED:

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18 Edward M. Chen
19 U.S. Magistrate Judge
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STIPULATION TO EXTEND TIME TO RESPOND
TO PLAINTIFF LEHMAN BROTHER HOLDINGS,
INC.'S COMPLAINT

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

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

PROOF OF SERVICE - Civil

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

METHOD OF SERVICE

- ☐ By Personal Service ☐ By Mail ☐ By Overnight Delivery
☐ By Messenger Service ☐ By Facsimile ☒ By E-Mail/Electronic Transmission
☐ By Certified Mail/Return Receipt Request (EFD/USDC)

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

**STIPULATION TO EXTEND TIME TO RESPOND TO PLAINTIFF
LEHMAN BROTHERS HOLDINGS, INC.'S COMPLAINT**

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

Michael A. Rollin, Esq.
REILLY POZNER, LLP
10833 Wilshire Boulevard, Suite 604
Los Angeles, California 90024
Tel: (310) 425-0922
Fax: (303) 983-6110
E-mail: mrolling@rplaw.com

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

Mark T. Bailey (*Pro Hac Vice To Be Filed*)
REILLY POZNER, LLP
511 Sixteenth Street, Suite 700
Denver, Colorado 80202
E-mail: m Bailey@rplaw.com

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

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

- a. ☐ **BY PERSONAL SERVICE.** I personally delivered the documents to the persons at the addresses listed in item 4. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.
- b. ☐ **BY UNITED STATES MAIL.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 4 and (specify one):

(1) ☐ deposited the sealed envelope with the United States Postal Services, with the postage fully prepaid.

(2) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I am resident or employed in the County where the mailing occurred. The envelope or package was placed in the mail at San Bruno, California, County of San Mateo.

c. ☐ **BY OVERNIGHT DELIVERY.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 4. I place the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

d. ☐ **BY MESSENGER SERVICE.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 4 and providing them to a professional messenger service for service.

e. ☐ **BY FAX TRANSMISSION.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 4. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

f. ☐ **BY E-MAIL OR ELECTRONIC TRANSMISSION.** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission (**LexisNexis Efile & EServe**), I caused the documents to be sent to the persons at the email addresses listed in item 4. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful

g. ☐ **BY CERTIFIED MAIL/RETURN RECEIPT REQUESTED.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 4 and (specify one):

(1) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully

1 prepaid for said certified mail/return receipt number (See attached
2 copies of Certified Mail/Return Receipts Requested.)

3 ☐ (State) I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct.

5 ☒ (Federal) I declare that I am employed in the offices of a member of the bar of this court at
6 whose direction this service was made. I declare under penalty of perjury that the foregoing is true
and correct.

7 Executed on September 18, 2009 at San Bruno, California.

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9 Pilar Marquez

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Proof of Service - Civil
[Code of Civ.Proc. §§ 1011, 1013, 1013a, 2015.5]