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6 Attorneys for Defendant
 7 Asset Acceptance, LLC

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11
 12 JOHNNY WANG, an individual, on
 13 his own behalf and on behalf of all
 others similarly situated,

14 Plaintiff,

15 vs.

16 ASSET ACCEPTANCE, LLC, a
 17 Delaware limited liability company,
 and DOES 1-100, inclusive,

18 Defendants.
 19 _____

) CASE NO.: C09-04797 SI

) **STIPULATION AND [PROPOSED]
) ORDER CONTINUING HEARING
) DATE ON PLAINTIFF'S MOTION
) FOR RELIEF FROM THE
) FEBRUARY 2, 2010 ORDER
) DISMISSING PLAINTIFF'S
) CCRAA CLAIMS AND SETTING
) SPECIAL BRIEFING SCHEDULE**

) The Honorable Susan Illston

1 WHEREAS on August 13, 2010, plaintiff Johnny Wang (“Wang”) filed his
2 Motion for Relief from the February 2, 2010 Order Dismissing Plaintiff’s CCRAA
3 Claims (docket no. 81) (the “Motion”), and set the hearing for September 17, 2010;

4 WHEREAS lead counsel for defendant Asset Acceptance, LLC (“Asset”),
5 Tomio B. Narita, must defend his clients’ depositions in a multi-party class action
6 on September 17, 2009, and thus cannot attend the hearing on that date;

7 WHEREAS the Motion appears to contain several new and complicated
8 issues of law and the preparation of the response will likely require extensive
9 research and drafting,

10 WHEREAS Plaintiff has agreed to continue the hearing on the Motion,

11 WHEREAS the parties agree, without waiving any other rights or objections
12 that they may have, that Plaintiff may file a motion to compel discovery during the
13 period of the continuance, and that the requested continuance shall not delay
14 resolution of discovery matters,

15 NOW THEREFORE Plaintiff and Asset hereby stipulate and request that the
16 Court continue the Hearing on the Motion to November 4, 2010 at 9:00 a.m., or as
17 soon thereafter as the Court may hear the matter. The parties further agree to a
18 special briefing schedule on the motion, whereby Asset will file its opposition on
19 or before October 1, 2010, and Plaintiff will file his reply on or before October 22,
20 2010.

21 IT IS SO STIPULATED.

22
23 DATED: August 20, 2010

SIMMONDS & NARITA LLP
TOMIO B. NARITA
JEFFREY A. TOPOR

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25
26 By: s/Tomio B. Narita
Tomio B. Narita
27 Attorneys for defendant
Asset Acceptance, LLC
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1 DATED: August 20, 2010

PRESTON LAW OFFICES
ETHAN PRESTON

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By: s/Ethan Preston
Ethan Preston
Attorneys for Plaintiff
Johnny Wang

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[PROPOSED] ORDER

Pursuant to the stipulation and of the parties and good cause appearing, IT IS
HEREBY ORDERED THAT:

1. The hearing on Plaintiff’s Motion for Relief from the February 2, 2010 Order Dismissing Plaintiff’s CCRAA Claims (Docket no. 81) is continued to November 4, 2010 at 9:00 a.m.
2. Asset shall file any opposition on or before October 1, 2010, and Wang shall file his reply on or before October 22, 2010.

IT IS SO ORDERED.

DATED: _____

By:  _____

Hon. Susan Illston
United States District Court Judge