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13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **SAN FRANCISCO DIVISION**

16 PATRICIA VANHORN, RICHARD  
 17 ALBAUGH, AND PATRICK  
 18 MULCAHY, Individually and On Behalf  
 19 of All Others Similarly Situated,

20 Plaintiff,

21 v.

22 BANK OF AMERICA, N.A.; FIA CARD  
 23 SERVICES, NATIONAL  
 24 ASSOCIATION; and DOES 1 - 100,

25 Defendants.

Case No. 3:10-cv-00653-JCS

**STIPULATION AND [PROPOSED]  
 ORDER REGARDING FURTHER STATUS  
 AND SCHEDULING CONFERENCE**

Magistrate Judge Joseph C. Spero

1 Pursuant to Local Rule 7-12, this Stipulation is entered into by and among Plaintiffs  
2 Patricia Vanhorn, Richard Albaugh, and Patrick Mulcahy (“Plaintiffs”), and Defendants Bank of  
3 America, N.A. (BANA), and FIA Card Services, N.A. (“FIA Card Services”) (Plaintiffs and  
4 Defendants are collectively referred to as the “Parties”), through their respective counsel with  
5 reference to the following:

6 **RECITALS**

7 WHEREAS this case had been ordered stayed pending two events: (i) the arbitration of  
8 the claims of Plaintiffs Mulcahy and Vanhorn against former defendant Intersections Inc.  
9 (“Intersections”); and (ii) an evidentiary hearing before this Court to determine whether the  
10 claims of Plaintiff Albaugh against Intersections should similarly be ordered to arbitration (*see*  
11 Dkt. No. 113);

12 WHEREAS subsequent to the above referenced order, Plaintiffs’ claims against  
13 Intersections have been dismissed (Dkt. No. 115);

14 **STIPULATIONS**

15 NOW, THEREFORE, IT IS HEREBY STIPULATED by and among the Parties to this  
16 action through their undersigned counsel that, with the Court’s approval:

17 1. A further status conference to determine how this case should proceed against the  
18 remaining Defendants shall be set at the Court’s earliest convenience.

19  
20 DATED: November 9, 2011

GLANCY BINKOW & GOLDBERG LLP

21 By : s/ Coby M. Turner

22 Coby M. Turner

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DATED: November 9, 2011

BRYAN CAVE LLP

By: *s/ Jennifer A. Jackson*

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and FIA Card Services, N.A.*

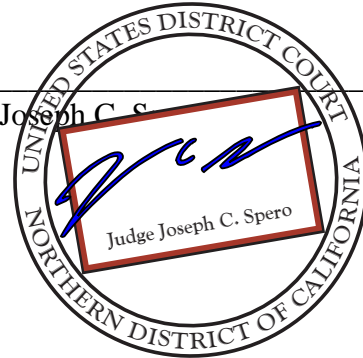
**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, AND FOR GOOD CAUSE APPEARING, IT IS  
ORDERED THAT:

1. A further status conference to determine how this case should proceed against the remaining Defendants is set for December 16, 2011 at 1:30 ~~a.m.~~ <sup>p.m.</sup>

Dated: November 14, 2011

Judge Joseph C. Spero





## Mailing Information for a Case 3:10-cv-00653-JCS

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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### Manual Notice List

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- (No manual recipients)