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6 *Attorneys for Plaintiffs Patricia Vanhorn,*
 7 *Richard Albaugh, and Patrick Mulcahy*

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

10 PATRICIA VANHORN, RICHARD
 11 ALBAUGH, AND PATRICK
 MULCAHY, Individually and On Behalf
 of All Others Similarly Situated,

12 Plaintiff,

13 v.

14 BANK OF AMERICA, N.A.; FIA CARD
 15 SERVICES, NATIONAL
 ASSOCIATION; and DOES 1 - 100,

16 Defendants.

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

**STIPULATION AND [PROPOSED]
 ORDER REGARDING BRIEFING
 SCHEDULE ON PLAINTIFFS' FOURTH
 AMENDED COMPLAINT**

Magistrate Judge Joseph C. Spero

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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, the Court issued an Order on Defendants’ Motion to Dismiss the Third
8 Amended Complaint on May 4, 2012, granting Plaintiffs leave to amend their Complaint in
9 accordance with the Court’s Order (Dkt. No. 127);

10 WHEREAS, the Parties agreed on the briefing schedule stipulated to below; and

11 WHEREAS, Ms. Turner attests that concurrence in the filing of this document has been
12 obtained from each of the signatories thereto.

13 **STIPULATIONS**

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

16 1. Plaintiffs shall file any Fourth Amended Complaint by June 11, 2012.

17 2. In the event that Plaintiffs will not amend their Complaint, Plaintiffs will notify
18 Defendants and the Parties will establish a deadline for Defendants’ answer to the Third
19 Amended Complaint.

20 3. Should Plaintiffs file a Fourth Amended Complaint, the Parties will negotiate a
21 date for Defendants’ response once the Fourth Amended Complaint is filed with the Court.

1 DATED: May 15, 2012

GLANCY BINKOW & GOLDBERG LLP

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11 *Attorneys for Plaintiffs Patricia Vanhorn,*
12 *Richard Albaugh, and Patrick Mulcahy*

13 DATED: May 15, 2012

BRYAN CAVE LLP

14 By: s/ Jennifer A. Jackson

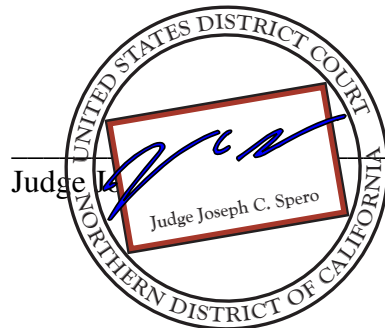
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20 *Attorneys for Defendants Bank of America, N.A.,*
21 *and FIA Card Services, N.A.*

22 **[PROPOSED] ORDER**

23 PURSUANT TO STIPULATION, AND FOR GOOD CAUSE APPEARING, IT IS SO
24 ORDERED.

25 Dated: May 15, 2012



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)