

1 Jack R. Nelson (SBN 111863)
 Email: jnelson@reedsmith.com
 2 Keith D. Yandell (SBN 233146)
 Email: kyandell@reedsmith.com
 3 Alicia A. Adornato (SBN 254228)
 Email: aadornato@reedsmith.com
 4 REED SMITH LLP
 101 Second Street, Suite 1800
 5 San Francisco, CA 94105-3659
 Telephone: +1 415 543 8700
 6 Facsimile: +1 415 391 8269

7 Attorneys for Defendants Wells Fargo &
 Company and Wells Fargo Bank, N.A.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 MOSTAFA TOFIGHBAKHS,
 11 Plaintiff,
 12 vs.
 13 WELLS FARGO & COMPANY, WELLS
 14 FARGO BANK, N.A., and DOES 1-25, inclusive,
 15 Defendant.

Case No. C 10-00830 SC

**STIPULATED REQUEST AND
~~[PROPOSED]~~ ORDER CONTINUING
 CASE MANAGEMENT CONFERENCE TO
 AUGUST 11, 2010 AND HEARING ON
 DEFENDANTS' MOTION TO DISMISS TO
 JULY 23, 2010**

Compl. Filed: December 23, 2009

Honorable Samuel Conti

REED SMITH LLP
 A limited liability partnership formed in the State of Delaware

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 22 Pursuant to N.D. Cal. Civil L.R. 6-2, Defendants Wells Fargo & Company¹ and Wells Fargo
 23 Bank, N.A. and Plaintiff Mostafa Tofighbakhsh (collectively, "Parties") jointly submit this
 24 Stipulated Request and [Proposed] Order Continuing Case Management Conference to August 11,
 25 2010 and Hearing On Defendants' Motion to Dismiss to July 23, 2010.

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 27 ¹ Defendants submit this Stipulation subject to, and reserving all rights regarding, their position that Wells Fargo &
 Company was fraudulently joined in this action.
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1 WHEREAS, Plaintiff has filed a Motion to Remand, which is currently set to be heard on
2 May 28, 2010;

3 WHEREAS, Defendants have filed a Motion to Dismiss, which is currently set to be heard
4 on June 25, 2010;

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6 WHEREAS, the initial case management conference in this action is currently set for June
7 16, 2010;

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9 WHEREAS, the Parties wish to conserve resources by having the Court determine the
10 following threshold issues before the first case management conference: (a) whether the Court has
11 jurisdiction over this dispute and, (b) whether Plaintiff has stated a claim for relief;

12 WHEREAS, there have been no previous modifications of time in this case;

13
14 WHEREAS, the Parties do not anticipate this modification will have any significant impact
15 on the case;

16 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
17 undersigned Parties, through their counsel of record, subject to the approval of the Court, as follows:

18 1. The Case Management Conference currently on calendar for June 16, 2010 shall be
19 continued to August 11, 2010.

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21 2. Defendants' Motion to Dismiss currently on calendar for June 25, 2010 shall be
22 continued to July 23, 2010.

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24
25 DATED: May 25, 2010

26 /s/ Ali Abtahi
27 *Signatory concurs in the filing of this document*
28 aabtahi@abtahilaw.com
ABTAHI LAW FIRM
1528 S. El Camino Real, Suite 204
San Mateo, CA 94402
Phone (650) 341-1300; Fax (650) 341-1303;

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T. Christopher Tuck (*pro hac vice* pending)
 ctuck@rpwb.com
 Daniel O. Myers (*Admitted pro hac vice*)
 RICHARDSON, PATRICK, WESTBROOK &
 BRICKMAN, LLC
 1037 Chuck Dawley Blvd., Bldg. A
 Mt. Pleasant, SC 92464
 Phone (843) 727-6500; Fax (843) 216-6509
Attorneys for Plaintiffs

/s/ Keith Yandell
 Jack R. Nelson (SBN 111863)
 jnelson@reedsmith.com
 Keith Yandell (SBN 233146)
 kyandell@ReedSmith.com
 REED SMITH LLP
 Two Embarcadero Center, Suite 2000
 San Francisco, CA 94120-7936
 Phone: (415) 543-8700; Fax: (415) 391-8269
Attorneys for Defendants

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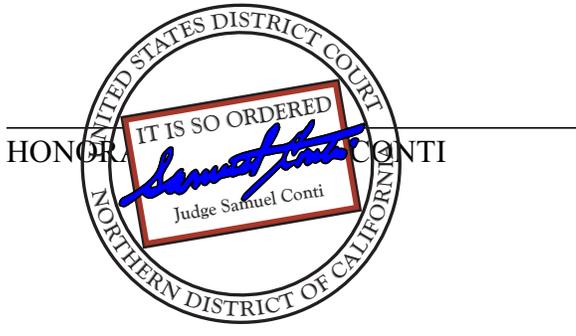
ORDER

Pursuant to the stipulated request of the parties, this Court hereby orders that:

1. The Case Management Conference currently on calendar for June 16, 2010 shall be continued to ~~August 11, 2010~~. August 13, 2010.

2. Defendants' Motion to Dismiss currently on calendar for June 25, 2010 shall be continued to July 23, 2010.

Date: 6/2/10



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13 WELLS FARGO & COMPANY, WELLS
14 FARGO BANK, N.A., and DOES 1-25, inclusive,
15 Defendant.

Case No. C 10-00830 SC
DECLARATION OF KEITH D. YANDELL
Compl. Filed: December 23, 2009
Honorable Samuel Conti

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22 I, KEITH D. YANDELL, DECLARE:

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24 1. I am an attorney at law, licensed to practice in the Northern District of California, and
25 an associate at the law firm of Reed Smith LLP, attorneys for Defendants Wells Fargo & Company
26 and Wells Fargo Bank, N.A. I make the following declaration of my own knowledge, and if called
27 as a witness I could and would testify to the same.
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