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5 **Attorneys for Defendants**  
6 **PNC BANK, NATIONAL ASSOCIATION,**  
**as successor by merger to NATIONAL**  
7 **CITY BANK previously dba "NATIONAL**  
**CITY MORTGAGE"**

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9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

11 STEVEN YEAGER and MARINA LUNA,

12 Plaintiffs,

13 v.

14 PNC MORTGAGE, a Delaware LLC dba  
NATIONAL CITY MORTGAGE, and DOES  
15 1 to 25, inclusive,

16 Defendants.

Case No. 3:10-CV-01195 SI

(Sonoma Superior Court No.: SCV 246724)

STIPULATION AND ORDER EXTENDING  
TIME FOR DEFENDANT PNC BANK,  
NATIONAL ASSOCIATION TO RESPOND  
TO PLAINTIFFS' FIRST AMENDED  
COMPLAINT

**W**  
**WOLFE & WYMAN LLP**  
ATTORNEYS & COUNSELORS AT LAW

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19 **TO ALL PARTIES HEREIN AND TO THEIR RESPECTIVE ATTORNEYS OF RECORD:**

20 This Stipulation is made by and between Plaintiffs STEVEN YEAGER and MARINA  
21 LUNA ("Plaintiffs") and Defendant PNC BANK, NATIONAL ASSOCIATION ("PNC") by and  
22 through their respective counsel of record. Plaintiffs and PNC agree and stipulate as follows:

- 23 A. On or about July 16, 2010, Plaintiffs filed their First Amended Complaint in this
- 24 matter.
- 25 B. On or about July 29, 2010, Plaintiffs' counsel agreed to extend PNC's time to respond
- 26 to the First Amended Complaint up to and including August 16, 2010.

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C. This Stipulation does not alter the date of any event or any deadline already fixed by the Court.

WHEREFORE, Plaintiffs and PNC agree and stipulate that PNC has up to and including August 16, 2010 to respond to Plaintiffs' First Amended Complaint.

DATED: July 30, 2010

WOLFE & WYMAN LLP

By: /s/ Joshua M. Bryan (SBN 225230)  
STUART B. WOLFE  
JOSHUA M. BRYAN  
ATTORNEYS FOR DEFENDANT  
PNC BANK, NATIONAL ASSOCIATION

DATED: July 30, 2010

HENDRICKSON LEGAL SERVICES

By: /s/ John Hendrickson (SBN 257298)  
JOHN HENDRICKSON  
Attorney for Plaintiffs  
STEVEN YEAGER and  
MARNIA LUNA

**ORDER ON STIPULATION**

The Court, having reviewed the stipulation of Plaintiffs and PNC BANK, NATIONAL ASSOCIATION, and good cause appearing therefore, ORDERS that PNC shall have up to and including August 16, 2010 to respond to Plaintiffs' First Amended Complaint in this matter.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA** )  
3 **COUNTY OF CONTRA COSTA** ) **ss.**

4 I, Lisa White, declare: I am employed in the County of Contra Costa, State of California. I am over the age of 18 and  
5 not a party to the within action. My business address is 2175 North California Blvd., Suite 645, Walnut Creek,  
6 California 94596-3502.

7 On the date shown below, I served the document(s) described as STIPULATION AND ORDER EXTENDING TIME  
8 FOR DEFENDANT PNC BANK, NATIONAL ASSOCIATION TO RESPOND TO PLAINTIFFS' FIRST AMENDED  
9 COMPLAINT on all interested parties in said action by placing a true copy thereof in a sealed envelope addressed as  
10 stated on the ATTACHED SERVICE LIST.

11  **BY MAIL:** as follows:  
12 I am "readily familiar" with Wolfe & Wyman LLP's practice of collection and processing correspondence for  
13 mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage  
14 thereon fully prepaid at Walnut Creek, California, in the ordinary course of business. I am aware that on motion  
15 of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1)  
16 day after date of deposit for mailing in affidavit.

17  **BY EXPRESS MAIL** as follows: I caused such envelope to be deposited in the U.S. Mail at Walnut Creek,  
18 California. The envelope was mailed with Express Mail postage thereon fully prepaid.

19  **BY CERTIFIED MAIL** as follows: I am "readily familiar" with Wolfe & Wyman LLP's practice for the  
20 collection and processing of correspondence for mailing with the United States Postal Service; such envelope  
21 will be deposited with the United States Postal Service on the above date in the ordinary course of business at  
22 the business address shown above; and such envelope was placed for collection and mailing, by Certified United  
23 States Mail, Return Receipt Requested, on the above date according to Wolfe & Wyman LLP's ordinary  
24 business practice.

25  **BY PERSONAL SERVICE** as follows: I caused a copy of such document(s) to be delivered by hand to the  
26 offices of the addressee between the hours of 9:00 A.M. and 5:00 P.M.

27  **BY OVERNIGHT COURIER SERVICE** as follows: I caused such envelope to be delivered by overnight  
28 courier service to the offices of the addressee. The envelope was deposited in or with a facility regularly  
maintained by the overnight courier service with delivery fees paid or provided for.

**BY ELECTRONIC MAIL** as follows: I hereby certify that I electronically transmitted the attached  
document(s) to the U.S. District Court using the CM/ECF System for filing, service and transmittal of Notice of  
Electronic Filing to the CM/ECF registrants for this case.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and  
that I am employed in the offices of a member of the State Bar of this Court at whose direction the service was  
made.

Executed on August 2, 2010, at Walnut Creek, California.

  
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LISA WHITE

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**SERVICE LIST**  
**Steven Yeager, et al. v. PNC Mortgage, et al.**  
**U.S.D.C., N.D. Case No. 3:10-cv-01195 SI**  
**W&W File No. 1264-166**  
**[Revised: 05/10/10]**

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