

Peter B. Fredman (Cal. State Bar No. 189097)  
 LAW OFFICE OF PETER FREDMAN  
 125 University Ave, Suite 102  
 Berkeley, CA 94710  
 Telephone: (510) 868-2626  
 Facsimile: (510) 868-2627  
 peter@peterfredmanlaw.com

David Pivtorak (State Bar No. 255943)  
 LAW OFFICE OF DAVID PIVTORAK  
 166 Santa Clara Ave. Suite 205  
 Oakland, California 94610  
 Telephone (510) 658-2500  
 Facsimile: (877) 748-4529  
 pivtoraklaw@gmail.com

Attorney for Plaintiffs,  
 GUSTAVO REYES and MARIA  
 TERESA GUERRERO, husband and wife,  
 individually, and on behalf of others similarly situated

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

GUSTAVO REYES and MARIA TERESA  
 GUERRERO, husband and wife, individually,  
 and on behalf of others similarly situated,  
  
 Plaintiffs,  
  
 v.  
  
 WELLS FARGO BANK, N.A., a national  
 bank; and DOES 1-100, inclusive,  
  
 Defendants.

Case No. C 10-01667 (JCS)

**CLASS ACTION**

**STIPULATION AND (PROPOSED)  
 ORDER FOR EXTENSION OF  
 TIME FOR DISCOVERY AND  
 FILING MOTION FOR CLASS  
 CERTIFICATION**

WHEREAS, on September 10, 2010, at the Initial Case Management Conference  
 (“CMC”), the Court set a deadline of March 18, 2011 for Plaintiffs to file a motion for class  
 certification and ordered the parties to commence discovery as necessary;

WHEREAS, on September 22, 2010, pursuant to stipulation, Plaintiffs filed a First  
 Amended Complaint (“FAC”) as discussed at the CMC;

1 WHEREAS, on October 12, 2010, Plaintiffs served class discovery on Defendant as  
2 discussed at the CMC; responses were due November 15, 2010.

3 WHEREAS, on October 13, 2010, Defendant filed and served a motion to dismiss the  
4 FAC noticing the hearing for November 19, 2010. Thereafter, Plaintiffs requested that the  
5 hearing be continued to December 3, 2010 and Defendant accommodated that request amending  
6 its notice for that date. Subsequently, the Court continued the hearing date again, setting it for  
7 December 17, 2010.

8 WHEREAS, on November 15, 2010, Defendant served responses to discovery that  
9 objected to class discovery on the primary grounds of burden and, among others, of the pending  
10 motion to dismiss the FAC, which is potentially dispositive.

11 WHEREAS, on November 15-17, 2010, the parties met and conferred regarding  
12 Plaintiffs impending motion to compel discovery.

13 THEREFORE, the parties propose the following resolution of the discovery dispute  
14 subject to Court approval:

- 15
- 16 1. The deadline for filing the motion for class certification shall be extended from  
17 March 18, 2011 to April 29, 2011.
  - 18 2. Defendant will file supplemental discovery responses to the class discovery on  
19 December 22, 2010 if the motion to dismiss does not dispose of the action.
  - 20 3. Plaintiffs will not file a motion to compel pending review of the supplemental  
21 responses.

22 **IT IS SO STIPULATED**

23 DATE: November 18, 2010

LAW OFFICE OF PETER B. FREDMAN  
LAW OFFICES OF DAVID PIVTORAK

24  
25  
26 By: /s/ Peter Fredman  
27 Attorney for Plaintiffs  
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1 DATE: November 18, 2010

2 SEVERSON & WERSON  
A Professional Corporation

3 By: /s/ Joshua E. Whitehair  
4 Attorney for Defendant

5  
6  
7  
8 **ORDER**

9  
10 **IT IS SO ORDERED**

- 11
- 12 1. The deadline for filing the motion for class certification is extended from March 18, 2011
  - 13 to April 29, 2011.
  - 14 2. Defendant will file supplemental discovery responses to the class discovery on December
  - 15 22, 2010 if the motion to dismiss does not dispose of the action.
  - 16 3. Plaintiffs will not file a motion to compel pending review of the supplemental responses.
  - 17

18  
19  
20  
21 Date: 11/19/10 \_\_\_\_\_

