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

20 UNITED STATES DISTRICT COURT  
 21 NORTHERN DISTRICT OF CALIFORNIA

22 GUSTAVO REYES and MARIA TERESA )  
 23 GUERRERO, husband and wife, individually, )  
 24 and on behalf of others similarly situated, )

24 Plaintiffs,

25 v.

26 WELLS FARGO BANK, N.A., a national  
 27 bank; and DOES 1-100, inclusive,

28 Defendants.

) Case No. C 10-01667 (JCS)

) **CLASS ACTION**

) **STIPULATION AND (~~PROPOSED~~)**  
 ) **ORDER CONTINUING HEARING AND**  
 ) **BRIEFING SCHEDULE FOR MOTION**  
 ) **FOR CLASS CERTIFICATION TO**  
 ) **FACILITATE MEDIATION**

) **Hon. Magistrate Judge Joseph C. Spero**

1 **RECITALS**

2 WHEREAS:

3 1. Pursuant to the stipulated order filed September 6, 2011 (Dkt. #61), this matter is  
4 currently set for hearing on class certification on April 6, 2012, with Plaintiffs' opening brief is  
5 due January 9, 2012.

6 2. Following further discovery and discussion, the parties desire to mediate the case,  
7 and to do so *prior* to the commencement of class certification briefing and related expenses.

8 3. The parties have agreed to mediate this matter for a full day before Hon. Ronald  
9 Sabraw (Ret.) of JAMS on February 16, 2012.

10 4. The parties believe that having mediation prior to briefing class certification is  
11 likely to serve the interests of justice and conserve judicial resources and warrants continuance of  
12 the hearing date and briefing schedule as set forth below.

13  
14 **STIPULATION**

15 THEREFORE, the parties stipulate and request that the Court order as follows:

16 1. The parties will mediate this matter for a full day before Hon. Ronald Sabraw  
17 (Ret.) of JAMS on February 16, 2012.

18 2. Plaintiffs' deadline to file their motion for class certification is extended from  
19 January 9, 2012 to March 21, 2012.

20 3. Wells Fargo's opposition to the motion shall be due April 23, 2012.

21 4. Plaintiffs' reply brief shall be due May 11, 2012.

22 5. The hearing on the motion for class certification shall be continued to the soonest  
23 available hearing date based on this briefing schedule except that the parties request that the  
24 hearing not be scheduled for any date between June 16 and July 16, 2012.

25 6. This stipulation is without prejudice to the rights, claims, defenses and arguments  
26 of all parties.

27 ///

28 ///

1  
2 **IT IS SO STIPULATED**

3  
4 DATE: December 20, 2011

5 HAGENS BERMAN SOBOL SHAPIRO LLP  
6 LAW OFFICE OF PETER FREDMAN  
7 LAW OFFICE OF DAVID PIVTORAK

8 By: /s/ Peter Fredman  
9 Attorneys for Plaintiffs

10  
11 DATE: December 20, 2011

12 SEVERSON & WERSON  
13 A Professional Corporation

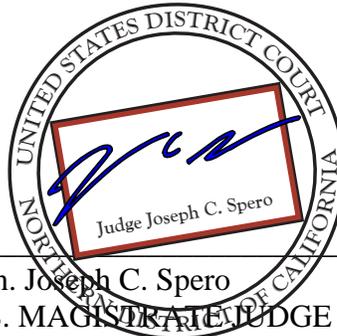
14 By: /s/ Michael J. Steiner  
15 Attorney for Defendant

16 **ORDER**

- 17 1. The parties shall mediate as agreed.  
18 2. The hearing on class certification shall be on TO BE SET BY THE COURT - JCS  
19 2. Plaintiffs shall file their motion for class certification by March 21, 2012.  
20 3. Defendant's opposition shall be due April 23, 2012.  
21 4. Plaintiffs' reply brief is due May 11, 2012.

22 **IT IS SO ORDERED**

23  
24  
25 Date: 12/21/11



26  
27 Hon. Joseph C. Spero  
28 U.S. MAGISTRATE JUDGE