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7 Attorneys for Defendant
 FEDERAL DEPOSIT INSURANCE CORPORATION
 8 AS RECEIVER OF UNITED COMMERCIAL BANK

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 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION
 13

14 THOMAS S. WU,
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 Plaintiff,
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 vs.
 17
 FEDERAL DEPOSIT INSURANCE
 18 CORPORATION, in its capacity as receiver of
 United Commercial Bank, and FEDERAL
 19 DEPOSIT INSURANCE CORPORATION, in its
 corporate capacity,
 20
 Defendants.
 21

Case No. CV10-4085 JSW
**STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING PRETRIAL DEADLINES
 BASED ON CONDITIONAL
 SETTLEMENT**

22
 23 **STIPULATION**

24 This case arises out of the failure of United Commercial Bank ("UCB"). On March 15-16,
 25 2011, the above-captioned parties attended mediation with Hon. Daniel Weinstein (Ret.). The
 26 mediation included participants and issues from several legal actions, including those involved in this
 27 matter. A conditional settlement has been reached, but given the number of participants and the

1 complexity of the issues, a final agreement has not yet been executed. The parties are currently
2 working toward resolving any remaining issues and executing a final agreement.

3 WHEREAS the Parties believe that it would promote efficiency and the conservation of the
4 Court's and the Parties' resources to continue pretrial deadlines while the Parties negotiate the terms
5 and conditions of a final agreement;

6 THEREFORE, the Parties, through their respective counsel of record, hereby agree and
7 stipulate that:

8 1. The FDIC's responsive pleading deadline shall be continued from February 1, 2012, to
9 May 2, 2012; and

10 2. The Case Management Conference and all attendant matters – including the filing of
11 the joint Case Management Statement and Rule 26(f) Report, and the serving of the parties' initial
12 disclosures under Rule 26(a) – shall be continued until after May 2, 2012, on a date to be set by the
13 Court.

14
15 Dated: January 12, 2012

NIXON PEABODY LLP

16
17 By /s/ Andrew Neilson

18 Andrew Neilson
19 *Attorneys for Defendant Federal Deposit*
20 *Insurance Corporation, as receiver of*
21 *United Commercial Bank*

22 Dated: January 12, 2012

LATHAM & WATKINS LLP

23
24 By /s/ Timothy P. Crudo

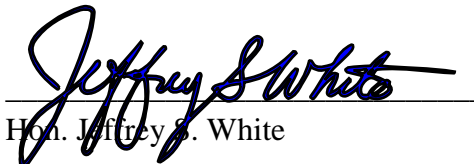
25 Timothy P. Crudo
26 *Attorneys for Plaintiff Thomas S. Wu*

~~PROPOSED~~ ORDER

The Case Management Conference currently scheduled for March 2, 2012, is hereby continued to May 11, 2012. The parties shall meet and confer and file a Joint Case Management Statement and exchange initial disclosures pursuant to FRCP 26(a) on or before May 4, 2012.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 30, 2012



Hon. Jeffrey S. White