

1 Patrick S. Thompson (SBN 160804)  
 2 *pthompson@goodwinprocter.com*  
 3 Michael J. Moloney III (SBN 259140)  
 4 *mmoloney@goodwinprocter.com*  
 5 **GOODWIN PROCTER LLP**  
 6 Three Embarcadero Center, 24th Floor  
 7 San Francisco, CA 94111  
 8 Tel.: 415.733.6000  
 9 Fax: 415.677.9041

6 David L. Permut (*pro hac vice*)  
 7 *dpermut@goodwinprocter.com*  
 8 Eric I. Goldberg (*pro hac vice*)  
 9 *egoldberg@goodwinprocter.com*  
 10 **GOODWIN PROCTER LLP**  
 11 901 New York Avenue NW  
 12 Washington, DC 20001  
 13 Tel.: 202.346.4000  
 14 Fax: 202.346.4444

11 *Attorneys for Defendants*

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **SAN FRANCISCO DIVISION**  
 16

17 JUAN AREVALO, MITCHELL SANDOW,  
 18 and ANGELA ZELENY, individually and on  
 19 behalf of all others similarly situated,

19 Plaintiffs,

20 v.

21 BANK OF AMERICA CORPORATION and  
 22 FIA CARD SERVICES, N.A.,

22 Defendants.

Case No. 10-CV-04959-TEH

**STIPULATION EXTENDING TIME FOR  
 DEFENDANTS TO RESPOND TO  
 SECOND AMENDED COMPLAINT**

Second Amended Complaint Filed: April 29, 2011

Judge: Hon. Thelton E. Henderson

24  
 25  
 26  
 27  
 28

1                   **STIPULATION EXTENDING TIME FOR DEFENDANTS TO RESPOND TO SECOND AMENDED**  
2                   **COMPLAINT**

3                   Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(a), Plaintiffs Juan  
4 Arevalo, Mitchell Sandow and Angela Zeleny (“Plaintiffs”) and Defendants Bank of America  
5 Corporation and FIA Card Services, N.A., (“Defendants”) (together, with Plaintiffs, the “Parties”),  
6 through their undersigned counsel, stipulate as follows:

7                   WHEREAS, on April 29, 2011, Plaintiffs filed a Second Amended Complaint (Dkt. No.  
8 40) in this action;

9                   WHEREAS, under Fed. R. Civ. P. 6 and 12, Defendants’ responsive pleading to the  
10 Second Amended Complaint would be due on or before May 13, 2011;

11                  WHEREAS, the Parties have agreed that Defendants shall have an extension of time to file  
12 their responsive pleading;

13                  WHEREAS, the stipulated extension does not affect any proceeding on the court’s  
14 calendar; and

15                  WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights of defenses  
16 otherwise available to the Parties in this action.

17                  NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiffs,  
18 by their undersigned counsel, and Defendants, by their undersigned counsel, that Defendants shall  
19 have through and including May 27, 2011 to answer or otherwise respond to the Second Amended  
20 Complaint.

1 Dated: May 10, 2011

Respectfully submitted,

2  
3 By: /s/ Michael J. Moloney III  
Patrick S. Thompson  
*pthompson@goodwinprocter.com*  
Michael J. Moloney III  
*mmoloney@goodwinprocter.com*  
**GOODWIN PROCTER LLP**  
Three Embarcadero Center, 24th Floor  
San Francisco, CA 94111  
Tel.: 415.733.6000  
Fax: 415.677.9041

4  
5  
6  
7  
8 David L. Permut (admitted *pro hac vice*)  
*dpermut@goodwinprocter.com*  
Eric I. Goldberg (admitted *pro hac vice*)  
*egoldberg@goodwinprocter.com*  
**GOODWIN PROCTER LLP**  
901 New York Avenue, NW  
Washington, DC 20001  
Tel.: 202.346.4000  
Fax: 202.346.4444

9  
10  
11  
12  
13 *Attorneys for Defendants*

14  
15  
16 By: /s/ Allison S. Elgart  
Michael W. Sobol  
*msobol@lchb.com*  
Allison Stacy Elgart  
*alegart@lchb.com*  
**LIEFF, CABRASER, HEIMANN &  
BERNSTEIN, LLP**  
275 Battery Street, 30<sup>th</sup> Floor  
San Francisco, CA 94111  
Tel.: 415-956-1000 x2232  
Fax: 415-956-1008

17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28 Wendy R. Fleishman  
*wfleishman@lchb.com*  
Rachel Geman  
*rgeman@lchb.com*  
**LIEFF, CABRASER, HEIMANN &  
BERNSTEIN, LLP**  
250 Hudson Street, 8<sup>th</sup> Floor  
New York, NY 10013-1413  
Tel.: 212.355.9500  
Fax: 212.355.9592

*Attorneys for Plaintiffs*

