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 7 Bank of America Corporation

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 9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 JUAN AREVALO and MITCHELL
 13 SANDOW, individually and on behalf of all
 others similarly situated,

14 Plaintiffs,

15 v.

16 BANK OF AMERICA CORPORATION,

17 Defendant.

Case No. 10-CV-4959 JL

CLASS ACTION
ORDER
STIPULATION EXTENDING TIME FOR
DEFENDANT BANK OF AMERICA
CORPORATION TO RESPOND TO
COMPLAINT

Complaint Filed: November 2, 2010
 Before: Magistrate James Larson

1 **STIPULATION EXTENDING TIME FOR DEFENDANT BANK OF AMERICA CORPORATION TO**
2 **RESPOND TO CLASS ACTION COMPLAINT**

3 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(a), Plaintiffs Juan
4 Arevalo and Mitchell Sandow (“Plaintiffs”) and Defendant Bank of America Corporation
5 (“BAC”) (“Defendant”) (together, with Plaintiffs, the “Parties”), through their undersigned
6 counsel, stipulate as follows:

7 WHEREAS, on November 2, 2010, Plaintiffs filed a complaint in this action;

8 WHEREAS, the Complaint purports to assert a number of putative class claims against
9 Defendant;

10 WHEREAS, Plaintiffs served the Complaint upon Defendant on or about November 4,
11 2010;

12 WHEREAS, under Fed. R. Civ. P. 6 and 12, Defendant’s responsive pleadings to the
13 Complaint would be due on or before November 29, 2010;

14 WHEREAS, the Parties have agreed that Defendant shall have an extension of time to file
15 its responsive pleading;

16 WHEREAS, Plaintiffs may file an amended complaint prior to the filing of Defendant’s
17 responsive pleading to seek damages in connection with their claims under the Consumers Legal
18 Remedies Act;

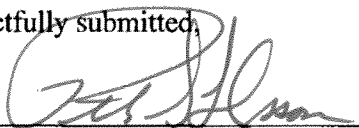
19 WHEREAS, the Parties agree that Defendant shall file a pleading responsive to the
20 complaint and the anticipated amendment thereto;

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

23 WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights or defenses
24 otherwise available to the Parties in this action;


1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiffs,
2 by their undersigned counsel, and BAC, by their undersigned counsel, that Defendant shall have
3 through and including December 29, 2010 to answer or otherwise respond to the Complaint, and
4 the anticipated amendment thereto.

5 Dated: November 23, 2010

Respectfully submitted,
By: 
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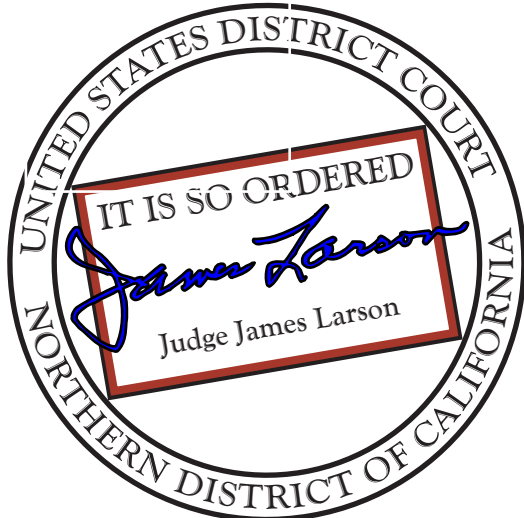
13 Dated: November 24, 2010

Respectfully submitted,
By: 
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17 DATED: 12/1/10

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PROOF OF SERVICE

I further certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on this 24th day of November, 2010.

/s/ Patrick S. Thompson
Patrick S. Thompson