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ATTORNEYS FOR PLAINTIFF

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 TINA M. UBALDI,)
 18 on behalf of herself and all others)
 19 similarly situated,)
 20)
 Plaintiff,)
 21)
 v.)
 22)
 SLM CORPORATION,)
 23 d/b/a SALLIE MAE, INC.,)
 d/b/a SALLIE MAE SERVICING,)
 24 a Delaware corporation)
 Defendant.)
 25 -----)

Case No. 3:11-cv-01320 EDL

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING AND
BRIEFING SCHEDULE ON MOTION TO
DISMISS AS MODIFIED

1 WHEREAS, on October 7, 2011, Defendant SLM Corporation filed a Motion to Dismiss
2 Plaintiff's First Amended Complaint for failure to state a claim pursuant to Fed.R.Civ.P. 12(b)(6),
3 which is set for hearing on November 29, 2011;

4 WHEREAS, due to scheduling conflicts with the current hearing date and briefing schedule,
5 the Parties have agreed to continue the hearing on the Motion to Dismiss and to adjust the briefing
6 schedule accordingly;

7 WHEREAS, there have been two prior extensions of time granting Defendant additional time
8 to respond to Plaintiff's Complaint (Doc. 8), and continuing the hearing on Defendant's motion to
9 dismiss and granting the Parties additional time to file responsive and reply briefs (Doc. 22); and
10

11 WHEREAS, this Stipulation is made in good faith and not for purposes of delay.

12 IT IS HEREBY STIPULATED by and between the Parties, through their respective counsel
13 of record, as follows:

- 14 (a) The hearing on the Motion to Dismiss shall be continued to December 13, 2011 at
15 2:00 p.m.
16 ~~9:00 a.m.~~ in Courtroom E;
- 17 (b) Plaintiff's Opposition to the Motion shall be filed and served by November 4, 2011;
18 and
- 19 (c) Defendant's Reply to Plaintiff's Opposition shall be filed and served by ~~December 2,~~
20 November 29
21 2011.

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DATED: October 14, 2011

LAW OFFICE OF JANET LINDNER
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By: s/ Janet Lindner Spielberg
Janet Lindner Spielberg

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Attorneys for Plaintiff

DATED: October 14, 2011

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Attorneys for Defendant SLM Corporation

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated October 18, 2011


The Honorable Elizabeth D. Laporte

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