

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANA MAY CASPERSON,

Plaintiff,

v.

BANK OF AMERICA
CORPORATION; FIA CARD
SERVICES, N.A.; and DOES 1
through 30, inclusive,

Defendants.

NO. C11-01425 TEH

ORDER EXTENDING
MEDIATION DEADLINE AND
VACATING HEARING

This matter comes before the Court on the joint stipulation of the parties filed September 28, 2011, in which the parties requested this Court order adjournment of the settlement conference presently scheduled with Magistrate Judge Spero on October 5, 2011, and extend the deadline imposed by this Court for mediation, making a new deadline of November 18, 2011. The parties explain that progress has been made towards securing a refund for the Plaintiff, Ms. Casperson, but that there has been an unavoidable delay of up to eight weeks in the processing of the refund, and that an adjournment of the present date and extension of the deadline will allow time for the refund to be processed, which may aid in reaching a settlement in this case.

With regards to the request that the settlement conference with Judge Spero be adjourned, the request must be directed to Judge Spero, whose calendar the request impacts, and not to this Court.


With regards to the request to extend the mediation deadline to November 18, 2011, the Court notes that no such requests have been made previously, and therefore GRANTS the request. No further extensions will be granted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Furthermore, in light of the indication from the parties that progress is being made towards settlement, the Court feels that the upcoming hearing date for Defendant Bank of America's motion to dismiss, currently set on October 17, 2011, is VACATED. Bank of America may put the motion back on calendar at a later date by re-noticing the motion at least 21 days prior to their requested hearing date.

IT IS SO ORDERED.

Dated: 9/29/2011



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT