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22 **UNITED STATES DISTRICT COURT**
 23 **NORTHERN DISTRICT OF CALIFORNIA**

24 MARIE GAUDIN, individually, and on
 25 behalf of others similarly situated,

26 Plaintiffs,

27 vs.

28 SAXON MORTGAGE SERVICES, INC.,
 a Texas corporation,

Defendant.

Case No.: 3:11-cv-01663-RS

CLASS ACTION

**STIPULATION AND ~~(PROPOSED)~~
 ORDER CONTINUING INITIAL
 CASE MANAGEMENT CONFERENCE
 AND RELATED DEADLINES
 AS MODIFIED BY THE COURT**

Date: September 8, 2011

Time: 10:00 a.m.

Department: Courtroom 3

WHEREAS,

1. This action was filed on April 6, 2011.

1 2. On May 3, 2011, this action was assigned to the Hon. Richard Seeborg, with an
2 Initial Case Management Conference set for July 14, 2011, and related pre-conference
3 deadlines.

4 3. The parties agreed to extend Defendant's time to respond to the Complaint from
5 May 12, 2011 to May 20, 2011.

6 4. On May 20, 2011, Defendant filed a Motion to Dismiss with a hearing date set
7 for June 30, 2011.

8 5. The parties agreed to extend Plaintiff's time to respond to the Motion to Dismiss
9 from June 9, 2011 to June 30, 2011.

10 6. On June 1, 2011, the Court signed an Order granting the parties' request for a
11 continuance of the hearing date from June 30, 2011 to July 21, 2011, and continuing the Initial
12 Case Management Conference from June 14, 2011 to August 25, 2011, with all associated
13 deadlines continued accordingly.

14 7. The parties agreed to extend Defendant's time to reply to Plaintiff's Opposition
15 to the Motion to Dismiss from July 7, 2011 to July 14, 2011.

16 8. On June 29, 2011, the Court signed an Order granting the parties' request for a
17 continuance of the hearing date from July 21, 2011 to July 28, 2011, and continuing the Initial
18 Case Management Conference from August 25, 2011 to September 8, 2011, with all associated
19 deadlines continued accordingly.

20 9. On August 10, 2011, the Clerk of Court issued a Notice vacating the motion
21 hearing scheduled for August 11, 2011.

22 10. On August 22, 2011, the Court issued an Order Granting Defendant's Motion to
23 Dismiss, With Leave to Amend ("Order") within 20 days of the Order.

24 11. Plaintiff intends to file an Amended Complaint by September 12, 2011, and
25 Defendant intends to file a Motion to Dismiss the Amended Complaint by September 26, 2011.

26 12. The Initial Case Management Conference should be continued so that it occurs
27 after Defendant's Motion to Dismiss the Amended Complaint has been heard and decided.
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