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(Pro Hac Vice Admission Pending)

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*Attorneys for Defendants
Global Client Solutions, LLC and
Rocky Mountain Bank and Trust*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

HEATHER NEWTON, individually and)
behalf of others similarly situated,

PLAINTIFF,

v.

AMERICAN DEBT SERVICES, INC., a)
California corporation; QUALITY
SUPPORT SERVICES, LLC, a
California limited liability company;
GLOBAL CLIENT SOLUTIONS, LLC;
ROCKY MOUNTAIN BANK AND
TRUST; and DOES 1-100,

Defendants.

) Case No: 5:11-cv-03228-EMC

) CLASS ACTION

) **PLAINTIFF HEATHER NEWTON,
DEFENDANTS' AMERICAN DEBT
SERVICES, INC., GLOBAL CLIENT
SOLUTIONS, LLC & ROCKY
MOUNTAIN BANK & TRUST
STIPULATION TO MODIFY
BRIEFING SCHEDULE AND DATE
OF HEARING ON DEFENDANTS'
MOTIONS TO COMPEL
ARBITRATION**

1 In accordance with U.S. District Judge Edward M. Chen’s Civil Standing
2 Order, Plaintiff Heather Newton (“Plaintiff”) and Defendants American Debt
3 Services, Inc. (“ADS”), Rocky Mountain Bank & Trust (“RMBT”) and Global
4 Client Solutions, LLC (“Global”) (collectively, “Defendants”) (all, “Parties”) file
5 this Stipulation to Modify the Briefing Schedule and Date of the Hearing on
6 Defendants’ respective Motions to Compel Arbitration [D.E. 36 & 39], and state as
7 follows:
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10 WHEREAS, according to the parties’ Stipulation dated October 10, 2011,
11 Global and RMBT were to file their response to Plaintiff’s Complaint on
12 November 4, 2011 [D.E. 19].
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14 WHEREAS, according to the parties’ subsequent Stipulation dated
15 November 4, 2011 [D.E. 34], Global and RMBT received one additional business
16 day, to November 7, 2011, to file their response to Plaintiff’s Complaint; and, on
17 November 7, 2011, Global and RMBT filed their Motion to Compel Arbitration.
18 [D.E. 36].
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21 WHEREAS, pursuant to the original and subsequent Stipulations, Plaintiffs
22 Response to Global’s and RMBT’s Motion to Compel Arbitration is due December
23 2, 2011 and the Reply thereto is due December 23, 2011.
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25 WHEREAS, ADS filed its Motion to Compel Arbitration on November 9,
26 2011.
27

28 WHEREAS, Plaintiffs Response to ADS’s Motion to Compel Arbitration is

1 due November 23, 2011 and the Reply thereto is due November 30, 2011.

2 Whereas, the hearing on Defendants' respective Motions is set for December
3 16, 2011 at 1:30 p.m.

4
5 WHEREAS, after conferring with counsel for Plaintiff and ADS, due to
6 competing time demands and the impending holidays, the Parties hereby stipulate
7 that Plaintiff shall file her Response briefs to both Motions on December 23, 2011;
8 and Defendants' shall have up through and including January 16, 2011 to file their
9 respective Reply briefs.¹

10
11 WHEREAS, the Parties stipulate to continuing the hearing on such Motions,
12 which is currently set for December 16, 2011 to January 27, 2011 at 1:30 p.m.

13
14 WHEREAS, the Parties also suggest that the Case Management Conference
15 currently set for January 27, 2011 be rescheduled for a date after which the Court
16 rules upon Defendants' respective Motions to Compel Arbitration. This is the only
17 effect the requested time modification has on the scheduling for this case.

18
19 **WHEREFORE**, Plaintiff and Defendants ADS, RMBT, and Global
20 stipulate to extend the deadline for Responses to the Motions to Compel
21 Arbitration to December 23, 2011, and the Replies thereto to January 16, 2011; and
22 the hearing on same shall take place on January 27, 2011 at 1:30 p.m.
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27 1. In the event that this Order is not entered prior to the deadline for which
28 Plaintiff's Response to ADS's Motion to Compel Arbitration is due, then the normal
Reply date of November 30, 2011 shall apply to ADS.

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Respectfully submitted,

Dated: November 22, 2011

GREENSPOON MARDER, P.A.

By: /s/ Richard W. Epstein
RICHARD W. EPSTEIN
(FLA. BAR NO: 229091)
(Pro Hac Vice Admission)
REBECCA F. BRATTER
(FLA. BAR NO: 0685100)
(Pro Hac Vice Admission)

Dated: November 22, 2011

LAGARIAS & BOULTER, LLP

By: /s/ Robert S. Boulter
ROBERT S. BOULTER (SBN 153549)

*Attorneys for Defendants GLOBAL
CLIENT SOLUTIONS, LLC & ROCKY
MOUNTAIN BANK & TRUST*

Dated: November 22, 2011

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*Attorneys for Defendant, AMERICAN DEBT
SERVICES, INC. and QUALITY SUPPORT
SERVICES, LLC.*

Dated: November 22, 2011

By: /s/ Tavy A. Dumont
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CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of November, 2011, I electronically filed the foregoing document with the Clerk of Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

/s/ Richard W. Epstein

IT IS SO ORDERED that the oppositions shall be filed by 12/23/11. Replies shall be filed by 1/13/2012. The hearing is set for 1/27/12 at 1:30 p.m. The case management conference is also reset for 1/27/12 at 1:30 p.m. A joint CMC Statement shall be filed by 1/20/12.

Edward M. Chen
U.S. District Judge

