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11 Attorneys for Defendant
 12 HSBC BANK USA, N.A.

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 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

18 WAILEA PARTNERS, LP, a Delaware
 limited partnership,
 19 Plaintiff,
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 v.
 21 HSBC BANK USA, N.A., a national banking
 22 association,
 23 Defendant.

Case No.: CV-11-3544 (SC)

**STIPULATION AND [PROPOSED]
 ORDER REGARDING BRIEFING
 SCHEDULE**

Honorable Samuel Conti

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1 WHEREAS, plaintiff Wailea Partners, LP (“Wailea”) filed its Complaint on July 19, 2011,
2 naming as defendant HSBC Bank USA, N.A. (“HSBC”);

3 WHEREAS, pursuant to stipulation filed August 8, 2011, HSBC’s response to the
4 Complaint is due September 19, 2011, and on that date HSBC intends to file a motion to dismiss
5 pursuant to Federal Rule of Civil Procedure 12(b) (“Motion to Dismiss”);

6 WHEREAS, HSBC has reserved December 9, 2011 for the hearing on its Motion to
7 Dismiss;

8 WHEREAS, Wailea and HSBC have agreed, subject to Court approval, to a briefing
9 schedule for HSBC’s Motion to Dismiss;

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
11 parties, through their respective counsel, subject to Court approval, that:

12 1. Wailea’s opposition to HSBC’s Motion to Dismiss shall be filed on or before
13 November 7, 2011;

14 2. HSBC’s reply in support of the Motion to Dismiss shall be filed no than November
15 23, 2011.

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17 Dated: September 16, 2011

TAYLOR & COMPANY LAW OFFICES, LLP

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By: /s/ Jonathan A. Patchen

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Jonathan A. Patchen

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Attorneys for Defendant HSBC BANK USA, N.A.

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23 Dated: September 16, 2011

ROZWOOD & COMPANY, APC

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By: Benjamin Rozwood

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S. Benjamin Rozwood

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Attorneys for Plaintiff WAILEA PARTNERS, LP

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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DATED: 9/19/11

