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12  
13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
15

16 SARIQUE, ELGIN AND DAISY, individuals,  
17  
Plaintiffs,  
18  
v.  
19  
20 BANK OF AMERICA, N.A. (A.K.A. BANK  
OF AMERICA HOME LOANS), a  
Corporation, NATIONAL BANK  
21 ASSOCIATION, a Corporation; PRLAP  
INC., a Corporation; and DOES 1 through 50,  
22 inclusive,  
23  
Defendants.

Case No. 3:11-cv-03641-JCS

**HON. JOSEPH C. SPERO**

**JOINT STIPULATION RESCHEDULING  
CASE MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER**

**[L.R. 6-1(a)]**

1  
2 **STIPULATION**

3 Defendants Bank of America, N.A. and PRLAP, Inc. (“Defendants”), and Plaintiffs Elgin  
4 Sarique and Daisy Sarique (“Plaintiffs”), by and through their counsel of record, hereby stipulate  
5 and agree as follows:

6 1. Defendants Bank of America, N.A. and PRLAP, Inc. removed this matter from  
7 Santa Clara County Superior Court on July 25, 2011.

8 2. The parties previously stipulated to two extensions for Defendants to respond to the  
9 Complaint 15 days to August 16, 2011 and then 60 days to October 17, 2011.

10 3. The parties then stipulated for Defendants to respond to the Complaint no later than  
11 January 18, 2012.

12 4. A Case Management Conference is scheduled for November 4, 2011.

13 5. The parties agree that a Case Management Conference on this date would be  
14 premature in light of current settlement discussions and the fact that Defendants have not yet  
15 responded to the Complaint.

16 6. The parties agree to continue the Case Management Conference to a date after  
17 January 18, 2012, the deadline for Defendants to respond to the Complaint.

18 7. The parties believe that the later case management conference will prevent  
19 unnecessary consumption of expense and time to both the parties and judicial resources.

20 8. The stipulation will not result in prejudice to any party and its impact on judicial  
21 proceedings is not expected to be significant.

22 9. Nothing in this stipulation shall constitute a waiver of any arguments or defenses  
23 that Defendants or Plaintiffs may wish to assert in their pleadings, all of which are expressly  
24 reserved.

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**IT IS SO STIPULATED.**

Dated: October 28, 2011

**LAW OFFICES OF KENNETH GRAHAM**

By: /s/ Kenneth R. Graham  
Kenneth R. Graham  
Attorney for Plaintiffs  
ELGIN SARIQUE and DAISY SARIQUE

Dated: October 28, 2011

**BRYAN CAVE LLP**  
C. Scott Green  
Tracy M. Talbot  
Edward Chung  
  
By: /s/ Edward Chung  
Edward Chung  
Attorneys for Defendants  
BANK OF AMERICA, N.A. and PRLAP, INC.

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**[PROPOSED] ORDER**

Having reviewed the stipulation of Plaintiffs ELGIN SARIQUE and DAISY SARIQUE and Defendants BANK OF AMERICA, N.A. and PRLAP, INC. and good cause appearing,

**IT IS HEREBY ORDERED** that the Case Management Conference is rescheduled to January 27, 2012 at 1:30 p.m. An updated joint cmc statement shall be due by Jan. 20, 2012.

Dated: 10/31/11

