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13 **UNITED STATES DISTRICT COURT**  
14 **NORTHERN DISTRICT OF CALIFORNIA**  
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16 SARIQUE, ELGIN AND DAISY, individuals,  
17 Plaintiffs,  
18 v.  
19 BANK OF AMERICA, N.A. (A.K.A. BANK  
OF AMERICA HOME LOANS), a  
20 Corporation, NATIONAL BANK  
ASSOCIATION, a Corporation; PRLAP  
21 INC., a Corporation; and DOES 1 through 50,  
inclusive,  
22 Defendants.  
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Case No. 3:11-cv-03641-JCS

**JOINT STIPULATION EXTENDING  
DEFENDANTS' TIME TO RESPOND TO  
COMPLAINT AND CONTINUING THE  
CASE MANAGEMENT CONFERENCE**

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

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**STIPULATION**

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

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

2. The parties previously stipulated to four extensions for Defendants to respond to the Complaint 15 days to August 16, 2011, 60 days to October 17, 2011, 90 days to January 13, 2012 and then another 90 days to April 12, 2012.

3. The parties continue to look into the possibility of settling this matter through a loan modification. As of this date, the modification review process is still processing.

4. In order to continue the current settlement discussions, reduce cost of litigation for both parties, and potentially unburden the Court’s docket, Plaintiffs grant Defendants an extension to respond to their Complaint. Thus, instead of responding to the Complaint on January 13, 2012, the parties agree that Defendants’ time to file and serve their response to the Complaint is extended 120 days to August 10, 2012.

5. A Case Management Conference is scheduled for April 27, 2012.

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

7. The parties agree to continue the Case Management Conference to a date after August 10, 2012, the deadline for Defendants to respond to the Complaint.

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

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

10. Nothing in this stipulation shall constitute a waiver of any arguments or defenses

1 that Defendants or Plaintiffs may wish to assert in their pleadings, all of which are expressly  
2 reserved.

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4 **IT IS SO STIPULATED.**

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7 Dated: April 11, 2012

**LAW OFFICES OF KENNETH GRAHAM**

8  
9 By: /s/ Kenneth R. Graham

10 Kenneth R. Graham

11 Attorney for Plaintiffs

12 ELGIN SARIQUE and DAISY SARIQUE

13 Dated: April 11, 2012

**BRYAN CAVE LLP**

14 C. Scott Green

15 Andrea Hicks

16 Edward Chung

17 By: /s/ Edward Chung

18 Edward Chung

19 Attorneys for Defendants

20 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 deadline for Defendants to respond to Plaintiffs' Complaint is extended 120 days from April 12, 2012.

**IT IS HEREBY ORDERED** that the Case Management Conference is rescheduled to 'August 31, 2012'.

Dated: 4/23/12



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Judge Joseph C. Spero  
United States District Court  
Northern District of California