

1 ROBERT W. THOMPSON, Esq. (SBN 106411)  
 2 CHARLES S. RUSSELL, Esq. (SBN 219934)  
 3 **CALLAHAN, THOMPSON, SHERMAN**  
 4 **& CAUDILL, LLP**  
 5 2601 Main Street, Suite 800  
 6 Irvine, California 92614  
 7 Tel.: (949) 261-2872  
 8 Fax: (949) 261-6060  
 9 Email : rthompson@ctsclaw.com  
 10 Email : crussell@ctsclaw.com

11 Attorneys for Plaintiffs,  
 12 **KAI CHANDLER et al**

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

CTSC law  
 CALLAHAN THOMPSON SHERMAN & CAUDILL LLP

16 KAI CHANDLER, et al.

17 Plaintiffs,

18 vs.

19 WELLS FARGO & COMPANY, a  
 20 Delaware corporation; WELLS FARGO  
 21 HOME MORTGAGE, INC., a  
 22 California corporation, WELLS  
 23 FARGO BANK, N.A., and DOES 1 –  
 24 10, inclusive,

25 Defendants.

Case No.: C11-3841 EMC  
 JUDGE EDWARD M. CHEN  
 COURTROOM: 5  
 COMPLAINT DATE: 08/04/11

**STIPULATION TO TRIAL  
 BEFORE A MAGISTRATE JUDGE  
 FOR PLAINTIFF KELLY DODD  
 AND DEFENDANTS WELLS  
 FARGO & COMPANY, WELLS  
 FARGO HOME MORTGAGE, INC.,  
 and WELLS FARGO BANK, N.A.;  
 and [PROPOSED] ORDER**

26 ///

1 Plaintiffs KAI CHANDLER, et al, and Defendants WELLS FARGO &  
2 COMPANY, WELLS FARGO HOME MORTGAGE, INC., and WELLS FARGO  
3 BANK, N.A. (collectively, "WELLS FARGO"), through their respective counsel,  
4 hereby stipulate and request as follows:

5 (1) That the claims of Plaintiff KELLY DODD be set for trial as a test case  
6 and that the remaining Plaintiffs' claims be stayed pending resolution of  
7 Plaintiff KELLY DODD's claims;

8 (2) That this case be assigned to a Magistrate Judge for all purposes, including  
9 trial, of the claims of Plaintiff KELLY DODD;

10 (3) That Magistrate Judge Maria Elena James or Magistrate Judge Joseph C.  
11 Spero be appointed as the Magistrate Judge for KELLY DODD's test case;  
12 and

13 (4) Wells Fargo and KELLY DODD waive their rights to a jury for the trial of  
14 KELLY DODD's test case.

15 The stipulating parties request that once the case is assigned to a Magistrate  
16 Judge, a trial setting conference be scheduled as soon as possible (by telephonic  
17 appearance if possible) so that the parties and the Magistrate Judge can set KELLY  
18 DODD's test case for trial in late 2013 on a mutually convenient date.

19 **SO STIPULATED.**

20  
21 DATED: March 22, 2013

**CALLAHAN, THOMPSON, SHERMAN  
& CAUDILL, LLP**

22  
23  
24 By

  
25 ROBERT W. THOMPSON  
26 CHARLES S. RUSSELL  
27 CALLAHAN, THOMPSON, SHERMAN  
& CAUDILL, LLP  
28 2601 Main Street, Suite 800  
Irvine, California 92614  
Tel.: (949) 261-2872

Fax: (949) 261-6060  
Email : rthompson@ctsclaw.com  
Email : crussell@ctsclaw.com  
Attorneys for Plaintiff  
**KELLY DODD, and all other Plaintiffs**

DATED: March 22, 2013

**LITTLER MENDELSON, P.C.**

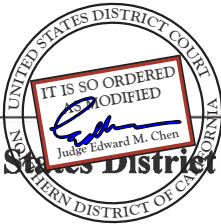
By Lindbergh Porter / sjk

**LINDBERGH PORTER**  
**LITTLER MENDELSON, P.C.**  
650 California Street, 20th Floor  
San Francisco, CA 94108-2693  
Tel.: (415) 399-8445  
Fax: (415) 743-6541  
Email : lporter@littler.com  
Attorneys for Defendants  
**WELL FARGO & COMPANY, WELLS**  
**FARGO HOME MORTGAGE, INC., and**  
**WELLS FARGO BANK, N.A.**

the Dodd case

**IT IS SO ORDERED** that this case is assigned to Magistrate Judge  
[~~MARIA-ELENA JAMES or JOSEPH C. SPERO~~] for all purposes, including trial,  
of the claims of Plaintiff KELLY DODD, and that the claims of the remaining  
plaintiffs are hereby stayed pending the resolution of the claims of KELLY DODD. \*

DATED: 3/27, 2013

  
**United States District Court Judge**

The Clerk of the Court is directed to sever this case and open a new case number for Kelly Dodd v. Wells Fargo, et al. which to be assigned to Magistrate Judge Maria-Elena James for all purposes, including bench trial. All docket entries to be copied to the new case number. The undersigned remains as presiding judge in the main Case C11-3841 EMC for resolution of the claims of the remaining plaintiffs.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed electronically and notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's EM/ECF System.

March 22, 2013

/s/ Charles S. Russell

Charles S. Russell

G:\PLF\0110002\Pldgs\Stipulation re test case.doc

**CTSC law**  
CALLAHAN THOMSON SHERMAN & CAUPELL LLP

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28