

1 THE MEHDI FIRM  
 2 AZRA Z. MEHDI (220406)  
 3 One Market  
 4 Spear Tower, Suite 3600  
 5 San Francisco, CA 94105  
 6 Telephone: 415/293-8039  
 7 Fax: 415/293-8001  
 8 Azram@themehdifirm.com

Counsel for Plaintiffs

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 JACKIE L. HIGH, et al.,	)	Case No. 3:11-CV-05478-EMC
	)	
12 Plaintiffs,	)	<u>CLASS ACTION</u>
13 vs.	)	
	)	STIPULATION AND [PROPOSED] ORDER
14 THE CHOICE MANUFACTURING	)	TO EXTEND TIME TO FILE AMENDED
15 COMPANY, INC., et al.,	)	COMPLAINT
	)	
16 Defendants.	)	
	)	
	)	

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1           WHEREAS, on July 24 2012, the Court issued an Order Granting Defendants’ Motions  
2 to Dismiss (Dkt. Nos. 65, 67) (“Order”);

3           WHEREAS, on July 24, 2012, the Court gave plaintiffs leave to amend the non-RICO  
4 fraud-related claims against defendants Mepco Finance Corporation (“Mepco”) and Independent  
5 Bank Corporation (“Independent Bank”) (Order at 20);

6           WHEREAS, plaintiffs and defendants The Choice Manufacturing Company, Inc., a.k.a.,  
7 The Choice Warranty, Inc. (collectively, “Choice”) and Peter Masi reached a settlement;

8           WHEREAS, on August 10, 2012, plaintiffs filed a Notice of Voluntary Dismissal with  
9 Prejudice Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) as to defendants Choice and Peter Masi (Dkt.  
10 No. 110);

11           WHEREAS, plaintiffs and defendants Mepco and Independent Bank are currently  
12 engaged in discussions to resolve the pending litigation;

13           NOW, THEREFORE, IT IS HEREBY STIPULATED by and between plaintiffs, Mepco  
14 and Independent Bank through their respective counsel and subject to the Court’s approval that:

15           The amended complaint currently due on August 23, 2012 be extended up to and  
16 including, September 14, 2012 (the same day as the currently schedule Case Management  
17 Conference), or an alternative date that the Court determines suitable to allow the parties to  
18 continue their settlement discussions.

19           IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.  
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DATED: August 21, 2012

Respectfully submitted,

THE MEHDI FIRM

/s/  
AZRA Z. MEHDI

One Market  
Spear Tower, Suite 3600  
San Francisco, CA 94105  
Telephone: 415/293-8039  
Fax: 415/293-8001

Counsel for Plaintiffs

DATED: August 21, 2012

VARNUM LLP

/s/  
BRYON B. DOYLE (*Pro Hac Vice*)

Bridgewater Place  
P.O. Box 352  
Grand Rapids, MI 49501  
Telephone: 616/336-6000  
Fax: 616/336-7000  
bbdoyle@varnumlaw.com

Counsel for Defendants Mepco Finance  
Corporation and Independent Bank Corporation

Pursuant to General Order No. 45 Section X(B), all signatories concur in filing  
Stipulation to Extend Time to File Amended Complaint.

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Dated: August 21, 2012

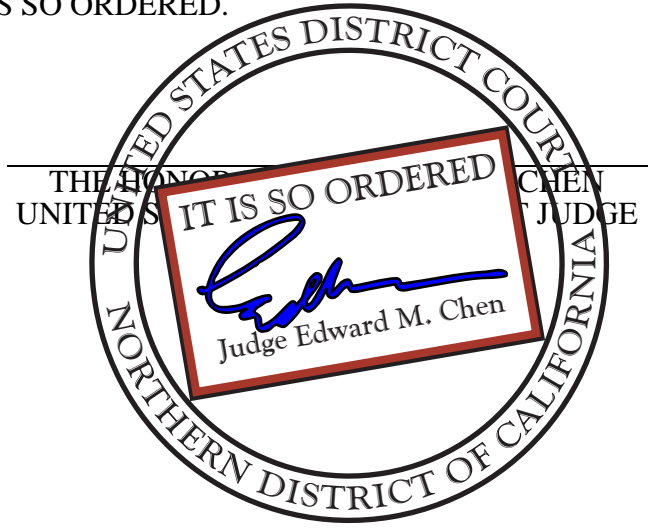
/s/  
AZRA Z. MEHDI

\* \* \*

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August <sup>21</sup>\_\_, 2012



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**CERTIFICATE OF SERVICE**

I hereby certify that on August 21, 2012, I authorized the electronic filing of the Stipulation and [Proposed] Order to Extend Time to File Amended Complaint, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 21, 2012.

\_\_\_\_\_  
/s/  
AZRA Z. MEHDI

# Mailing Information for a Case 3:11-cv-05478-EMC

## Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Loretta Alva**  
azram@themehdifirm.com
- **Spencer Wood Christensen**  
schristensen@downeybrand.com,afrench@downeybrand.com
- **Brion B Doyle**  
bbdoyle@varnumlaw.com
- **Jamie Paul Dreher**  
jdreher@downeybrand.com
- **Regina Jill McClendon**  
rmclendon@lockelord.com,lgondreau@lockelord.com
- **Azra Z. Mehdi**  
azram@themehdifirm.com,ghamilton@themehdifirm.com
- **Sally Weiss Mimms**  
smimms@lockelord.com,lgondreau@lockelord.com
- **Travis Peavy**  
azram@themehdifirm.com
- **Phillip Russell Perdew**  
rperdew@lockelord.com,jastaton@lockelord.com,till@lockelord.com,chicagodocket@lockelord.com

## Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**Ronald G. DeWaard**  
Varnum LLP  
Bridgewater Place  
P.O. Box 352  
Grand Rapids, MI 59501-0355

**The Choice Manufacturing Company, Inc.**  
777 Corporate Drive  
Mahwah, NJ 07430