

1 Deborah Rosenthal (SBN 184241)
 2 drosenthal@simmonsfirm.com
 3 SIMMONS BROWDER GIANARIS ANGELIDES
 4 & BARNERD LLC
 5 455 Market Street, Suite 1150
 6 San Francisco, California 94105
 7 Phone: (415) 536- 3986 / Fax: (415) 537- 4120

8 *[Additional counsel listed on signature page]*

9 Attorneys for Plaintiffs, Vicki and Richard Sutcliffe, Michael Enneking, and all others similarly
 10 situated

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

13 VICKI AND RICHARD SUTCLIFFE,
 14 MICHAEL ENNEKING, on behalf of
 15 themselves and all others similarly situated,

16 Plaintiffs,

17 v.

18 WELLS FARGO BANK, N.A., a national
 19 bank, for itself and d/b/a WELLS FARGO
 20 HOME MORTGAGE, a division of Wells
 21 Fargo Bank, N.A.; and DOES 1-100,
 22 inclusive.

23 Defendants.

24 Case No. C 11-06595 JCS

25 **STIPULATION AND PROPOSED**
 26 **ORDER TO ENLARGE BRIEFING**
 27 **DEADLINES AND CONTINUE**
 28 **HEARING WITH RESPECT TO**
WELLS FARGO BANK, N.A.'S
MOTION TO STRIKE OR, IN THE
ALTERNATIVE, TO REQUIRE
PLAINTIFFS TO MODIFY THE
PUTATIVE CLASS DEFINITION SET
FORTH IN PLAINTIFFS' FIRST
AMENDED CLASS ACTION
COMPLAINT

Judge: Magistrate Judge Joseph C. Spero
 First Amended Complaint: June 8, 2012
 Trial Date: None Set

1 TO THE HONORABLE JOSEPH C. SPERO, UNITED STATES MAGISTRATE
2 JUDGE, DEFENDANT WELLS FARGO BANK, N.A., ITS COUNSEL OF RECORD, AND
3 ALL OTHER INTERESTED PARTIES:

4 PLEASE TAKE NOTICE that pursuant to Civ. L.R. 6-1(b), 6-2, and 7-12, Plaintiffs,
5 Vicki and Richard Sutcliffe and Michael Enneking (“plaintiffs”), and Defendant Wells Fargo
6 Bank, N.A. (“Wells Fargo”) (collectively, the “Parties”), by and through their respective counsel,
7 stipulate and agree as follows:

8 WHEREAS, Plaintiffs filed a First Amended Class Action Complaint (“First Amended
9 Complaint”) on June 8, 2012; and

10 WHEREAS, Wells Fargo filed a Motion to Strike or, in the Alternative, to Require
11 Plaintiffs to Modify the Putative Class Definition set forth in Plaintiffs’ First Amended
12 Complaint (“Motion to Strike”) on July 30, 2012; and

13 WHEREAS, Plaintiffs’ Opposition to the Motion to Strike is currently due on or before
14 Monday, August 13, 2012; and

15 WHEREAS, Wells Fargo’s Reply in support of the Motion to Strike is currently due on
16 or before Monday, August 20, 2012; and

17 WHEREAS, the hearing on the Motion to Strike is currently scheduled before this Court
18 on Friday, September 14, 2012; and

19 WHEREAS, counsel for the Parties have conferred and agree that neither party will be
20 prejudiced by the agreed upon dates set forth herein.

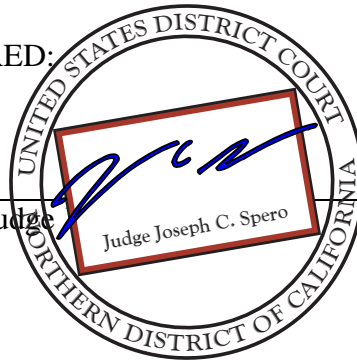
1 IT IS HEREBY STIPULATED AND AGREED by the Parties that:

- 2 1. Plaintiffs will file their Opposition to Defendant Wells Fargo Bank, N.A.'s Motion to
3 Strike on or before Monday, August 27, 2012; and
4 2. Wells Fargo will file its Reply in Support of its Motion to Strike on or before Monday,
5 September 10, 2012; and
6 3. The hearing date for the Motion to Strike will be scheduled before this Court on October
7 12, 2012, at 1:30 PM.
8

9 PURSUANT TO STIPULATION, IT IS SO ORDERED:

10 Dated: August 20, 2012

11
12 Magistrate Judge



13 Respectfully submitted,

14
15
16 VICKI AND RICHARD SUTCLIFFE,
17 MICHAEL ENNEKING

WELLS FARGO BANK, N.A.,

18 By their attorneys,

By its attorneys,

19 /s/ Derek Y. Brandt

/s/Irene C. Freidel

20
21
22 **SIMMONS BROWDER GIANARIS**
23 **ANGELIDES & BARNERD LLC**

K&L GATES LLP

24 Deborah Rosenthal (SBN 184241)
25 drosenthal@simmonsfirm.com
26 455 Market Street, Suite 1150
27 San Francisco, California 94105
28 Phone: (415) 536-3986
Fax: (415) 537 - 4120

Matthew G. Ball (SBN No. 208881)
matthew.ball@klgates.com
Megan F. Cesare-Eastman (SBN No. 253845)
megan.cesare-eastman@klgates.com
K&L GATES LLP
Four Embarcadero Center, Suite 1200
San Francisco, CA 94111
Tel.: (415) 882-8200
Bax: (415) 882-8220

JOINT STIPULATION AND PROPOSED ORDER RE: ENLARGEMENT OF TIME TO RESPOND TO DEFENDANT WELLS FARGO BANK, N.A.'S MOTION TO STRIKE

Case No. C 11-06595 JCS

1 Irene C. Freidel (*pro hac vice*)
irene.freidel@klgates.com
2 Jennifer J. Nagle (*pro hac vice*)
jennifer.nagle@klgates.com
3 **K&L GATES LLP**
4 State Street Financial Center
One Lincoln Street
5 Boston, MA 02111-2950
6 Tel.: (617) 261-3100
7 Fax: (617) 261-3175

8 **HANLY CONROY BIERSTEIN**
9 **SHERIDAN FISHER & HAYES LLP**

10 Paul J. Hanly, Jr.*
phanly@hanlyconroy.com
11 Jayne Conroy*
jconroy@hanlyconroy.com
12 Mitchell M. Breit*
mbreit@hanlyconroy.com
13 Andrea Bierstein (*pro hac vice*)
abierstein@hanlyconroy.com
14 112 Madison Avenue - 7th Floor
New York, NY 10016-7416
Tel: (212) 784-6401
Fax: (212) 784-6420

15 **GIBBON, BARRON, & BARRON PLLC**

16 Bradford D. Barron (*pro hac vice*)
bbarron@gbbfirm.com
17 Zachary T. Barron (*pro hac vice*)
zbarron@gbbfirm.com
18 20 East 5th Street, Suite 1000
Tulsa, OK 74103
19 Tel: (918) 745-0687
Fax: (918) 745-0821

20 **SIMMONS BROWDER GIANARIS**
21 **ANGELIDES & BARNERD LLC**

22 Derek Yeats Brandt (*pro hac vice*)
dbrandt@simmonsfirm.com
23 Emily J. Kirk (*pro hac vice*)
ekirk@simmonsfirm.com
24 Anna M. Kohut (*pro hac vice*)
akohut@simmonsfirm.com
25 One Court Street
Alton, IL 62002
26 Tel: 618-259-6357
Fax: 618-259-2251

27 **MCCALLUM METHVIN &**
28 **TERRELL, PC**

1 James Michael Terrell (*pro hac vice*)
2 jterrell@mmlaw.net
3 2201 Arlington Avenue South
4 Birmingham, AL 35205
5 Tel: 205-939-0199
6 Fax: 205-939-0399

7 **pro hac vice to be filed*

8 I, Derek Y. Brandt, am the ECF User whose ID and password are being used to file
9 this document, and in compliance with General Order No. 45, X.B., hereby attest that all
10 signatories concur with this filing.

11 /s/ Derek Y. Brandt