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Attorneys for Defendants

JPMORGAN CHASE BANK, N.A. (erroneously named as Chase Bank); and QUALITY LOAN SERVICE CORP., INC.

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

JOSEPH O. OIYEMHONLAN, *an individual* and
MARTHA OIYEMHONLAN, *an individual*,

Plaintiffs,

vs.

JP MORGAN MORTGAGE ACQUISITION
CORP., *business entity unknown*; QUALITY
LOAN SERVICE CORP., *business entity
unknown*; and DOES 1 through 100,

Defendants.

Case No. 3-11-CV-06622 EDL

**JOINT STIPULATION TO MODIFY
PRIOR ORDER ON STAY OF
PROCEEDINGS FOR SIXTY DAYS AND
~~PROPOSED~~ ORDER**

Judge: Magistrate Elizabeth D. LaPorte

Date Action Filed: November 18, 2011
Date Action Removed: December 22, 2011

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STIPULATION

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2 Plaintiffs Joseph and Martha Oiyemhonlan (“Plaintiffs”) and Defendants JP MORGAN
3 CHASE BANK, N.A. (“Chase”) and QUALITY LOAN SERVICE CORP., INC. (collectively
4 “Defendants”) by and through their respective counsel, STIPULATE and AGREE as follows:

5 WHEREAS Plaintiffs filed a complaint in the Superior Court of the County of Alameda
6 on November 18, 2011;

7 WHEREAS, on November 22, 2011 in the Superior Court of the County of Alameda,
8 Plaintiffs obtained an *ex parte* temporary restraining order (“TRO”) enjoining the Trustee’s sale of
9 the real property at 27535 Orlando Avenue in Hayward, California (the “Property”);

10 WHEREAS Defendants removed the action to this Court pursuant to the provisions of 28
11 U.S.C.section 1441(b) on December 22, 2011;

12 WHEREAS Defendants filed a Motion to Dismiss Plaintiffs’ Complaint on December 29,
13 2011;

14 WHEREAS the parties previously stipulated to stay all proceedings in this matter until
15 March 19, 2012, including hearings, briefings, appearances and any other deadlines imposed by
16 law or the Court, pending a determination by Defendant Chase of Plaintiffs’ suitability for loan
17 modification, which is economically and judicially efficient;

18 WHEREAS Chase has evaluated Plaintiffs for a loan modification and offered a loan
19 modification to Plaintiffs that has yet to be accepted;

20 WHEREAS the hearing on Defendants’ Motion to Dismiss is set for April 24, 2012;

21 WHEREAS the Case Management Conference is presently scheduled for April 24, 2012.

22 WHEREAS the parties stipulate and agree that Plaintiffs’ time to file an Opposition to
23 Defendants’ Motion to Dismiss is extended to April 2, 2012;

24 WHEREAS the parties further stipulate and agree that Defendants’ time to file a reply in
25 support of their Motion to Dismiss will be extended to April 9, 2012;

26 WHEREAS the parties further stipulate and agree that the extensions of time related to
27 filings requested herein are not requested for purposes of delay and will not result in any prejudice
28 to the parties or to the Court;

1 **IT IS THEREFORE STIPULATED AND AGREED** by Plaintiffs and Defendants, by
2 and through their respective counsel, and the Court is respectfully requested to amend its prior
3 order so that:

- 4 1. The deadline for Plaintiffs to file their Opposition to the Motion to Dismiss shall be
5 extended to April 2, 2012;
- 6 2. The deadline for Defendants to file their reply to Plaintiffs' Opposition to the
7 Motion to Dismiss shall be extended to April 9, 2012;
- 8 3. The hearing on the motion to dismiss shall remain as set for April 24, 2012;
- 9 4. The case management conference shall remain as set for April 24, 2012;
- 10 5. The TRO obtained by Plaintiffs in the Superior Court in the County of Alameda
11 shall remain in effect until this Court makes a determination on the TRO, or by
12 further agreement by the parties.

13 **IT IS SO STIPULATED.**

14
15 Dated: March 26, 2012

BEDI & JOHNSON

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18 By: /s/ Ginny Bedi
 Ginny Bedi
19 BEDI & JOHNSON LLP
20 Attorneys for Plaintiffs
 JOSEPH and MARTHA OIYEMHONLAN

21
22 Dated: March 26, 2012

BRYAN CAVE LLP

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24 By: /s/ John C. Hedger
 John C. Hedger
25 Attorneys for Defendant
26 JPMORGAN CHASE BANK, N.A and QUALITY
 LOAN SERVICE CORP., INC.

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, John C. Hedger, attest that concurrence in the filing of this document has been obtained from each of the signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 26, 2012, at San Francisco, California.

 /s/ John C. Hedger
John C. Hedger

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~~PROPOSED~~ ORDER

The Court, having reviewed the parties' Stipulation, hereby orders as follows:

1. The deadline for Plaintiffs to file their Opposition to Defendants' Motion to Dismiss is extended to April 2, 2012
2. The deadline for Defendants to file their Reply to Plaintiffs' Opposition to the Motion to Dismiss shall be extended to April 9, 2012;
3. The hearing on the motion to dismiss shall remain set for April 24, 2012;
4. The case management conference shall remain set for April 24, 2012.
5. The TRO shall remain in effect until further determination by this Court on the TRO if the hearing date is re-noticed by Plaintiffs or by further agreement of the parties;

IT IS SO ORDERED.

Dated: March 29, 2012

By: 
MAGISTRATE
JUDGE OF THE U.S. DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA