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Attorneys for Plaintiffs  
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 Individually and on Behalf of  
 All Others Similarly Situated

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN FRANCISCO DIVISION

20 JARED BANKS and LANDON COWAN,  
 21 individually and on behalf of All Others  
 Similarly Situated,

22 Plaintiffs,

23 vs.

24 JP MORGAN CHASE BANK, N.A., a  
 25 national association; and DOES 1 through 20,

26 Defendants.  
 27

No. C-12-01065 JSW

**STIPULATED REQUEST AND  
 [PROPOSED] ORDER FOR ONE-  
 WEEK CONTINUANCE OF  
 MOTION HEARINGS AS MODIFIED**

1 Plaintiffs Jared Banks and Landon Cowan (“Plaintiffs”), on the one hand, and Defendant  
2 JPMorgan Chase Bank, N.A. (“Chase”), on the other, through their counsel of record, (together  
3 the “Parties”), pursuant to Civ. L.R. Rules 6-2 and 7-12, stipulate to, and respectfully request that  
4 the Court grant, their request to continue the hearing date for their motion to dismiss and motion  
5 for remand for one week.

6 **BACKGROUND FACTS**

7 WHEREAS pursuant to the Stipulation and Order RE: Motions Practice and Continuation  
8 of Case Management Conference entered by this Court on April 6, 2012 (*see* Dkt. No. 13), Chase  
9 and Plaintiffs filed motions to dismiss and for remand on April 13, 2012 and the Court set the  
10 hearing for those motions on July 6, 2012 at 9:00 a.m.;

11 WHEREAS lead counsel for Chase has been ordered to mediation on behalf of Chase in  
12 another case currently pending in this Court (*McNeary-Calloway, et al. v. JPMorgan Chase Bank,*  
13 *N.A., et al., 11-CV-3058 JCS*);

14 WHEREAS that mediation is currently scheduled to commence on July 5, 2012 in New  
15 York City, New York;

16 WHEREAS lead counsel for Chase in this case must be present for that mediation;

17 WHEREAS lead counsel for Chase in this matter is currently scheduled to be in New  
18 York through July 6, 2012 as a result of the mediation in the *McNeary* matter;

19 WHEREAS Chase has requested, and Plaintiffs have agreed to stipulate to, a one-week  
20 continuance of the motion hearing date to accommodate the conflict described above;

21 WHEREAS there has been one prior extension of the motion hearings in the Stipulation  
22 and Order (Dkt. No. 13) described above and the current requested continuance is only for one  
23 week and is not made for purposes of delay.

24 **STIPULATION**

25 Accordingly, the Parties stipulate to, and respectfully request that the Court grant, a one  
26 week continuance of the hearings on Chase’s Motion to Dismiss and Plaintiffs’ Motion for  
27  
28

1 Remand, and thereby set both motions for hearing on July 13, 2012 at 9:00 a.m., or as soon  
2 thereafter as the Court may hear both motions.

3 **IT IS SO STIPULATED.**

4 BINGHAM McCUTCHEN LLP

5 DATED: June 13, 2012

6 /s/ Peter Obstler  
Peter Obstler  
7 Attorney for Defendant  
JPMORGAN CHASE BANK, N.A.

8  
9 DATED: June 13, 2012

10 /s/ Arthur D. Levy  
Arthur D. Levy  
11 Attorney for Plaintiffs  
JARED BANKS and LANDON COWAN

12  
13 **Attestation**

14 Pursuant to Civil L.R. 5-4 and General Order 45 X(B), I, Peter Obstler, hereby attest that  
15 the concurrence of all signatories has been obtained.

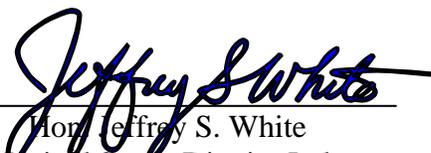
16 DATED: June 13, 2012

17 /s/ Peter Obstler  
Peter Obstler

18 **ORDER**

19 **PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING THEREFOR,**  
20 **IT IS SO ORDERED.** Chase's Motion to Dismiss and Plaintiffs' Motion for Remand shall now  
21 be set for hearing on ~~July 13, 2012~~ July 20, 2012 at 9:00 a.m.

22  
23  
24  
25 DATED: June 14, 2012

26   
27 Hon. Jeffrey S. White  
28 United States District Judge