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 7 DISCOVER FINANCIAL SERVICES,  
 DFS SERVICES LLC and DISCOVER BANK

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

10 ANDREW STEINFELD, on behalf of himself )  
 11 and all others similarly situated, )

12 Plaintiff, )

13 vs. )

14 DISCOVER FINANCIAL SERVICES, DFS )  
 15 SERVICES LLC, and DISCOVER BANK, )

16 Defendants. )  
 17 )  
 18 )  
 19 )  
 20 )

Case No. 3:12-cv-01118-JSW

[Assigned to the Hon. Jeffrey S. White]

**STIPULATION AND ~~PROPOSED~~  
 ORDER TO CONTINUE DEADLINE FOR  
 DEFENDANTS TO RESPOND TO  
 COMPLAINT FROM OCTOBER 11, 2012  
 TO DECEMBER 11, 2012 AND INITIAL  
 CASE MANAGEMENT CONFERENCE  
 FROM NOVEMBER 16, 2012 TO  
 JANUARY 18, 2013**

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE  
 DEADLINE TO RESPOND TO COMPLAINT  
 Case No. 3:12-cv-01118-JSW

1 Plaintiff Andrew Steinfeld and Defendants Discover Financial Services, DFS Financial  
2 Services, LLC, and Discover Bank (collectively, "Defendants"), through their undersigned counsel,  
3 hereby stipulate as follows:

4 WHEREAS, Plaintiff Steinfeld filed his Class Action Complaint for Damages and  
5 Injunctive Relief Pursuant to 47 U.S.C. § 227, *et seq.* (Telephone Consumer Protection Act) on  
6 March 6, 2012;

7 WHEREAS, pursuant to Stipulation and Order so that the parties could attend mediation  
8 before the Honorable Carl West (Ret.) of JAMS, the Court set August 16, 2012, as the last day for  
9 Defendants to file and serve an answer or a motion under Rule 12 of the Federal Rules of Civil  
10 Procedure (Dkt. No. 19);

11 WHEREAS, the Court set an Initial Case Management Conference for September 21, 2012,  
12 at 1:30 p.m. (Dkt. No. 19);

13 WHEREAS, the parties had constructive sessions on May 31, 2012, and July 10, 2012, and  
14 follow-up teleconferences with Judge West on July 24, 2012, and August 6, 2012, but were not  
15 able to finally resolve the matter;

16 WHEREAS, the parties scheduled a mediation with Judge West for September 27, 2012 to  
17 continue discussions;

18 WHEREAS, on August 21, 2012, the Court entered the parties Stipulation and [Proposed]  
19 Order Regarding Case Schedule and continued the deadline for Defendants to file and serve an  
20 answer or a motion under Rule 12 of the Federal Rules of Civil Procedure to October 11, 2012 and  
21 postponed the Initial Case Management Conference until November 16, 2012 (Dkt. No. 20);

22 WHEREAS, the parties had a constructive mediation session on September 27, 2012, but  
23 were not able to finally resolve the matter; and

24 WHEREAS, the parties seek to continue the deadline for Defendants to file and serve an  
25 answer or a motion under Rule 12 of the Federal Rules of Civil Procedure and postpone the Initial  
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Attorneys for Plaintiff Steinfeld and the Proposed Class

**PROPOSED ORDER**

**FOR GOOD CAUSE APPEARING AND PURSUANT TO THE STIPULATION, IT  
IS SO ORDERED.**

Dated: October 15, 2012

  
\_\_\_\_\_  
Hon. Jeffrey S. White  
United States District Court Judge

