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 8 WELLS FARGO BANK, N.A.

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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION

12

13 STANLEY D. CANNON and
 PATRICIA R. CANNON,
 14 individually and for all other persons
 similarly situated,

15 Plaintiffs,

16

vs.

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18 WELLS FARGO BANK, N.A. FEDERAL
 NATIONAL MORTGAGE ASSOCIATION,
 and ASSURANT, INC.,

19 Defendants.

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Case No. 3:12-cv-01376-EMC

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

Judge: Edward M. Chen

Action Filed: March 19, 2012
 Trial Date: None Set

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22 WHEREAS, on September 14, 2012, Wells Fargo Bank, N.A. (“Wells Fargo”), Federal
 23 National Mortgage Association (“Fannie Mae”), and Assurant Inc. (“Assurant”) (collectively
 24 “Defendants”) each filed a motion to dismiss Plaintiffs’ First Amended Complaint (see Docket
 25 #57, 59, and 61.);

26 WHEREAS, on January 8, 2013, this Court issued an Order Granting in Part and Denying
 27 In Part Defendants’ Motions to Dismiss (“MTD Order”) (See Docket #94.);

28

1 WHEREAS, the MTD Order dismissed all claims against Fannie Mae and Assurant
2 without prejudice and granted Plaintiffs 30 days' leave to amend;

3 WHEREAS, pursuant to the MTD order, Plaintiffs' amended complaint is due on February
4 7, 2013;

5 WHEREAS, a case management conference ("CMC") is presently set for 9:30 a.m. on
6 January 29, 2013;

7 WHEREAS, until plaintiffs filed their amended complaint on or before February 7, 2013,
8 it will not be clear whether Fannie Mae or Assurant remain in this suit as defendants;

9 WHEREAS, the parties believe that continuing the CMC for three weeks after the
10 amended complaint is due would serve the interests of judicial efficiency and conservation of
11 judicial and party resources because it would allow those parties that remain in this case to
12 participate in the case management process; and

13 WHEREAS, Plaintiffs and Wells Fargo have agreed that Plaintiffs may move forward with
14 discovery;

15 NOW, THEREFORE, the parties hereby STIPULATE to and respectfully request that the
16 CMC set for 10:30 a.m. on January 29, 2013 be rescheduled to 10:30 a.m. on February 28, 2013.

17 **SO STIPULATED.**

18 DATED: January 22, 2013

Respectfully submitted,

19 SEVERSON & WERSON
20 A Professional Corporation

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22 By: /s/ Jonah S. Van Zandt
23 Jonah S. Van Zandt

24 Attorneys for Defendant WELLS FARGO BANK,
25 N.A.
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DATED: January 22, 2013

OWINGS LAW FIRM

By: /s/ Stevan A. Owings
 Steven A. Owings
 Alexander P. Owings

LAW OFFICE OF SHERI L. KELLY
Sheri L. Kelly

CARTER WALKER PLLC
Brent Walker
Russell Davis Carter III

WAGONER LAW FIRM P.A.
Jack Wagoner

Attorneys for Plaintiffs,
STANLEY CANNON and PATRICIA CANNON

DATED: January 22, 2013

FOLEY & LARDNER LLP

By: /s/ Nancy L. Stagg
 Nancy L. Stagg

Attorneys for Defendant,
FEDERAL NATIONAL MORTGAGE
ASSOCIATION

DATED: January 22, 2013

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: /s/ Peter S. Hecker
 Peter S. Hecker

Attorneys for Defendant,
ASSURANT, INC.

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this e-filed document.

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[PROPOSED] ORDER

Pursuant to the parties' January 22, 2013 Stipulation Continuing Case Management Conference,

IT IS SO ORDERED.

The Further CMC is reset from 1/29/13 to 2/28/13 at 10:30 a.m. An updated joint CMC Statement shall be filed by 2/21/13.

DATED: January 23, 2013

