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19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION
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23 SHELLY A. CLEMENTS, on behalf of herself
 and all others similarly situated,
 24 Plaintiff,
 25 v.
 26 JPMORGAN CHASE BANK, N.A.,
 27 Defendant.
 28

No. C 12-02179 JCS

**JOINT STIPULATION AND
 [PROPOSED] ORDER TO SET TIME
 TO RESPOND TO COMPLAINT**

1 Defendant JPMorgan Chase Bank, N.A. (“Chase” or “Defendant”) and Plaintiff Shelly A.
2 Clements (“Plaintiff”) (together with Defendant, the “Parties”) respectfully submit the following
3 Joint Stipulation and [Proposed] Order to Set Time to Respond to Complaint.

4 WHEREAS, Plaintiff filed her Complaint on May 1, 2012, ECF No. 1;

5 WHEREAS, Defendant was served with the Complaint on May 2, 2012, and therefore
6 absent an extension, Defendant’s reply to the Complaint will be due on May 23, 2012;

7 WHEREAS, on May 4, 2012, Plaintiff provided notice that she had filed an
8 Administrative Motion to Consider Whether Cases Should be Related (“Motion to Relate”) in
9 *McNeary-Calloway v. JP Morgan Chase Bank, N.A., et al.*, No. CV 11-03058 JCS (“*McNeary-*
10 *Calloway Action*”), pending in the United States District Court for the Northern District of
11 California, ECF No. 9;

12 WHEREAS, on May 11, 2012, plaintiffs in the *McNeary-Calloway Action* filed a
13 Response to Administrative Motion to Consider Whether Cases Should be Related and stated
14 that they did not oppose relating the cases, ECF No. 69 in *McNeary-Calloway Action*;

15 WHEREAS, the Court has just granted the Motion to Relate cases and thereby vacated all
16 dates on calendar in the Action;

17 WHEREAS, no prior extensions have been requested or granted in this case;

18 WHEREAS, the Parties have met and conferred regarding the time for Defendant to
19 respond to the Complaint and a proposed briefing schedule, and have agreed that an extension of
20 time to respond and the following briefing schedule is appropriate; and,

21 WHEREAS, the Parties accordingly stipulate and agree that Defendant’s response date
22 should be extended to July 13, 2012. The Parties further stipulate and agree that in the event that
23 Defendant’s response consists of a motion to dismiss, Plaintiff’s opposition to the motion to
24 dismiss will be due 30 days after the filing of the motion (August 14, 2012), and Defendant’s
25 reply in support of the motion to dismiss will be due 20 days after the filing of Plaintiff’s
26 opposition (September 3, 2012). The Parties further respectfully request that the hearing on
27 Defendant’s motion to dismiss, if any, be set approximately two weeks after the completion of
28 the briefing of the motion.

1 **IT IS HEREBY STIPULATED AND AGREED, AND RESPECTFULLY**
2 **REQUESTED, AS FOLLOWS:**

3 Defendant shall have until July 13, 2012 to respond to the Complaint. In the event that
4 Defendant files a motion to dismiss the Complaint as its response, Plaintiff's opposition papers
5 will be due on August 14, 2012 and Defendant's reply papers will be due on September 3, 2012.
6 The Parties further respectfully request that the hearing on Defendant's motion to dismiss, if any,
7 shall be set on September 21, 2012 at 9:30 a.m. or as soon thereafter as is convenient for the
8 Court.

9 DATED: May 21, 2012

10 Bingham McCutchen LLP

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12 By: /s/ Zachary J. Alinder
13 Zachary J. Alinder
14 Attorneys for Defendant
JP Morgan Chase Bank, N.A.

15 DATED: May 21, 2012

16 HAGENS BERMAN SOBOL SHAPIRO LLP

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18 By: /s/Thomas Loeser
19 Thomas Loeser
20 Attorneys for Plaintiff
Shelly A. Clements

21 **FILER'S ATTESTATION**

22 Pursuant to General Order No. 45, § X(B), I, Zachary J. Alinder, attest under penalty of
23 perjury that concurrence in the filing of the document has been obtained from all the signatories.
24

25 Dated: May 21, 2012

 /s/ Zachary J. Alinder
26 Zachary J. Alinder

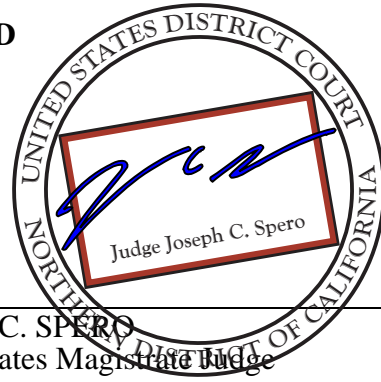
1 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

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5 Dated: May 23, 2012



6 **JOSEPH C. SPERO**
United States Magistrate Judge

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