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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SHELLY A. CLEMENTS, on behalf of herself
 and all others similarly situated,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Case No. C 12-02179 JCS

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO STAY
 CASE PENDING MEDIATION AND
 TO SET TIME TO RESPOND TO
 MOTION TO DISMISS**

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 to Stay the Case Pending Mediation and Set Time to Respond to Motion to
4 Dismiss.

5 WHEREAS, on May 23, 2012, the Court issued an order setting the schedule for Chase to
6 respond to Plaintiff’s Complaint (the “May 23, 2012 Order”), ECF No. 20;

7 WHEREAS, pursuant to the Court’s May 23, 2012 Order, Plaintiff’s opposition to
8 Chase’s motion to dismiss is currently due August 14, 2012 and Chase’s reply in support of its
9 motion to dismiss is currently due September 3, 2012;

10 WHEREAS, the Parties have met and conferred and agreed to participate in mediation of
11 the dispute beginning on July 5, 2012 before David Geronemus;

12 WHEREAS, the Parties have further agreed that subsequent mediation sessions will
13 occur on August 23 and August 24, 2012, and that the mediation will continue until either Party
14 or the mediator declares the mediation terminated by written correspondence;

15 WHEREAS, after conferring in good faith, the Parties have agreed, subject to court
16 approval, that mediation prior to the further expenditure of additional time and resources of the
17 Parties and the Court would be helpful in attempting to reach an early resolution of the Action;
18 and,

19 WHEREAS, the Parties accordingly stipulate and agree that the case should be stayed
20 pending private mediation, which will begin on July 5, 2012, that Plaintiff’s opposition to
21 Chase’s motion to dismiss will be due 30 days after the termination of the mediation, and that
22 Chase’s reply in support of its motion to dismiss will be due 20 days after Plaintiff’s filing of her
23 opposition.

24 **IT IS HEREBY STIPULATED AND AGREED, AND RESPECTFULLY**
25 **REQUESTED AS FOLLOWS:**

26 The case shall be stayed pending the Parties’ mediation. Parties shall engage in
27 mediation beginning on July 5, 2012 in front of David Geronemus, with subsequent sessions
28 planned on August 23-24, 2012. If any Party and/or the selected mediator informs the Court that

1 the mediation was unsuccessful and terminated, Plaintiff shall file her opposition to Chase's
2 motion to dismiss within 30 days after the filing of such a termination notice with the Court and
3 Chase will file its reply in support of the motion to dismiss within 20 days after Plaintiff's filing
4 of her opposition.

5 **IT IS SO STIPULATED.**

6 DATED: July 2, 2012 Bingham McCutchen LLP

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8 By: /s/ Zachary J. Alinder
Peter Obstler
9 Zachary J. Alinder
10 Attorneys for Defendant
JPMorgan Chase Bank, N.A.

11 DATED: July 2, 2012 LAW OFFICE OF PETER FREDMAN

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14 By: /s/ Peter Fredman
Peter Fredman
15 Attorneys for Plaintiff
Shelly A. Clements

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20 **PURSUANT TO STIPULATION, IT IS SO ORDERED . IT IS HEREBY FURTHER**
21 **ORDERED THAT** the Case Management Conference set for 8/31/12 at 1:30 PM shall
22 remain on calendar as scheduled.

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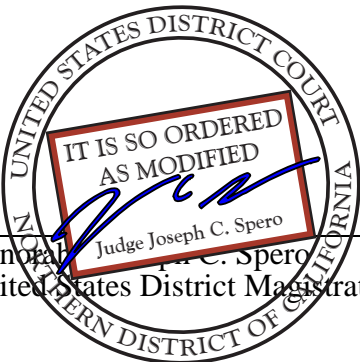
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25 Dated: July 9, 2012

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Honorable Judge Joseph C. Spero
United States District Magistrate Judge

FILER'S ATTESTATION

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

Dated: July 2, 2012

/s/ Zachary J. Alinder
Zachary J. Alinder

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