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12 Attorneys for Defendant

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
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16 KATHRYN GIOVANNI,

17 Plaintiff,

18 v.

19 BANK OF AMERICA, NATIONAL  
 20 ASSOCIATION an FDIC insured corporation  
 21 and DOES 1 through 100 inclusive,  
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23 Defendants.  
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Case No.: 3:12-cv-02530-LB

STIPULATED AGREEMENT TO AMEND  
 PLAINTIFF'S COMPLAINT

ORDER

1 **TO THE COURT, CLERK OF COURT, AND ALL PARTIES:**

2 Pursuant to Federal Rules of Civil Procedure 15(a)(2), the parties have agreed that  
3 Plaintiff will file a First Amended Complaint removing the following causes of action:  
4 California Song Beverly Credit Card Act of 1971, libel, intentional infliction of emotional  
5 distress, negligent infliction of emotional distress, deceit, and constructive fraud. In addition,  
6 Plaintiff's First Amended Complaint adds new facts supporting the alleged violations of §  
7 1681s-(b) of the Fair Credit Reporting Act, California Civil Code § 1785.25(a), and California  
8 Business & Professions Code § 17200. The parties further stipulate that Defendant Bank of  
9 America, N.A.'s response to Plaintiff's First Amended Complaint will be due on or before  
10 Tuesday, November 6, 2012.

11  
12 Dated: October 4, 2012

/s/ Elliot Gale  
Elliot W. Gale, Esq.  
Attorney for Plaintiff

/s Raymond Y. Kim  
Raymond Kim, Esq.  
Attorney for Defendant

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18 Date: October 5, 2012

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