

1 Counsel listed on following page.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM WOLIN, individually, and on behalf of other members of the general public similarly situated, and as aggrieved employees pursuant to the Private Attorneys General Act (“PAGA”),

Plaintiff,

v.

WELLS FARGO BANK, NATIONAL ASSOCIATION, a national association; WELLS FARGO & COMPANY, a Delaware corporation; and DOES 1 through 10, inclusive,

Defendants.

CASE NO. CV 12 4509 MMC

**THIRD STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE AND  
CORRESPONDING DEADLINES**

1 MALCOLM A. HEINICKE (SBN 194174)  
Malcolm.Heinicke@mto.com  
2 MARI OVERBECK (SBN 261707)  
Mari.Overbeck@mto.com  
3 MUNGER, TOLLES & OLSON LLP  
560 Mission Street  
4 Twenty-Seventh Floor  
San Francisco, CA 94105-2907  
5 Telephone: (415) 512-4000  
Facsimile: (415) 512-4077  
6

TERRY E. SANCHEZ (SBN 101318)  
7 Terry.Sanchez@mto.com  
MUNGER, TOLLES & OLSON LLP  
8 355 South Grand Avenue  
Thirty-Fifth Floor  
9 Los Angeles, CA 90071-1560  
Telephone: (213) 683-9100  
10 Facsimile: (213) 687-3702

11 Attorneys for Defendants  
WELLS FARGO BANK, NATIONAL  
12 ASSOCIATION; WELLS FARGO & COMPANY

13 MARK YABLONOVICH (SBN 186670)  
mark@yablonovichlaw.com  
14 NEDA ROSHANIAN (SBN 225337)  
neda@yablonovichlaw.com  
15 LAW OFFICES OF MARK YABLONOVICH  
1875 Century Park East, Suite 700  
16 Los Angeles, CA 90067-2508  
Telephone: (310) 286-0246  
17 Facsimile: (310) 407-5391

18 Attorneys for Plaintiff  
WILLIAM WOLIN  
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1 Subject to the approval of the Court, the parties, by and through their undersigned  
2 counsel, hereby submit this Second Stipulation and [Proposed] Order to Continue Initial Case  
3 Management Conference and Corresponding Deadlines.

4 **STIPULATION**

5 **WHEREAS**, the Initial Case Management Conference in this action is currently  
6 set for January 18, 2013 at 10:30 a.m., with the deadline for filing a Case Management Report set  
7 for January 11, 2013;

8 **WHEREAS**, the Court granted the parties' two previous requests to extend the  
9 Initial Case Management Conference in this action in order to provide the parties with additional  
10 time to discuss and decide whether Plaintiff will stipulate to transfer this action to the United  
11 States District Court for the Central District of California;

12 **WHEREAS**, Defendants have provided Plaintiff with certain evidence to support  
13 such a transfer, and Plaintiff requires additional time to review that evidence;

14 **WHEREAS**, the requested modification will have no effect on any other  
15 scheduled dates;

16 **WHEREAS**, if Plaintiff refuses to stipulate to transfer, Defendants will move the  
17 Court to transfer this action pursuant to 28 U.S.C. § 1404, and will notice their motion as per the  
18 Court's regularly noticed civil law and motion calendar;

19 **WHEREAS**, if the parties reach a stipulation to transfer they will file that  
20 stipulation with the Court on or before February 8, 2013;

21 **WHEREAS**, the parties agree that in light of the fact that the parties will either (a)  
22 agree to stipulate to transfer this action or (b) seek the Court's resolution of this issue, the best  
23 way to preserve both party and judicial resources is to reschedule the Initial Case Management  
24 Conference in this action for April 12, 2013, to permit a stipulation to be reached or Defendants'  
25 motion to be heard before holding the Initial Case Management Conference before this Court;

26 **NOW THEREFORE IT IS HEREBY STIPULATED AND AGREED**, by and  
27 between the undersigned counsel for all parties that, subject to the approval of the Court, the  
28 Initial Case Management Conference currently scheduled in this matter for January 18, 2013 shall

1 be taken off calendar and continued to April 12, 2013 at 10:30 a.m., or such other date and time  
2 thereafter as the Court shall order, and all corresponding deadlines shall be continued in  
3 accordance with Civil Local Rule 16-9, and that the parties shall file a stipulation to transfer this  
4 action on or before February 8, 2013, or shall notify the Court at that time whether Defendants  
5 will move the Court to transfer this action as per the Court's regularly noticed civil law and  
6 motion calendar.

7  
8 **IT IS SO STIPULATED.**

9  
10 DATED: January 11, 2013

Law Offices of Mark Yablonovich

11  
12 By: /s/ Neda Roshanian

Neda Roshanian  
Attorneys for Plaintiff  
WILLIAM WOLIN

13  
14  
15 DATED: January 11, 2013

Munger, Tolles & Olson LLP

16  
17 By: /s/ Mari Overbeck

Mari Overbeck  
Attorneys for Defendants  
WELLS FARGO BANK, NATIONAL  
ASSOCIATION; WELLS FARGO &  
COMPANY

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20  
21 Filer's Attestation

22 I, Malcolm A. Heinicke, am the ECF user whose identification and password are  
23 being used to file this THIRD STIPULATION AND [PROPOSED] ORDER TO CONTINUE  
24 INITIAL CASE MANAGEMENT CONFERENCE AND CORRESPONDING DEADLINES. In  
25 compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Neda Roshanian concurs in this  
26 filing.

1 ~~PROPOSED~~ ORDER

2 Having read the considered the Stipulation filed by the parties, and good cause appearing  
3 therefore, **IT IS HEREBY ORDERED** that the parties' Initial Case Management Conference is  
4 continued to April 12, 2013 at 10:30 a.m., and all corresponding dates are hereby continued in  
5 accordance with Civil Local Rule 16-9(a). The parties shall, on or before February 8, 2013, file a  
6 stipulation to transfer this action to the U.S. District Court for the Central District of California, or  
7 notify the Court that no agreement was reached and of Defendants' intention to file a motion to  
8 transfer as per the Court's regularly noticed civil law and motion calendar.

9  
10 **IT IS SO ORDERED.**

11  
12 DATED: January 11, 2013

13   
14 Hon. Maxine M. Chesney  
15 United States District Court Judge