

1 (Counsel listed on following page)

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FERNANDO DE SAUSA and JESSICA SHUM on behalf of themselves, in the interest of the general public and as a Private Attorney General,

Plaintiffs,

vs.

HSBC BANK U.S.A., N.A.; HSBC USA, INC.; and HSBC NORTH AMERICA HOLDINGS, INC.,

Defendants.

CASE NO. CV12-05081

**STIPULATION AND ~~PROPOSED~~  
ORDER TO STAY PROCEEDINGS AND  
TO CONTINUE THE INITIAL  
CASE MANAGEMENT CONFERENCE  
HEARING**

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Attorneys for Defendants  
HSBC BANK U.S.A., N.A., HSBC USA, INC., and HSBC  
NORTH AMERICA HOLDINGS, INC.

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1 The parties to this litigation, by and through their respective attorneys of record, hereby  
2 submit this stipulation and [proposed] order to stay all proceedings in this action for ninety (90)  
3 days, and to continue the Initial Case Management Conference which is currently scheduled to be  
4 held on May 6, 2013, at 1:30 p.m., to a date to be scheduled at the Court's convenience no earlier  
5 than August 6, 2013 for the reasons set forth below.

6 WHEREAS, the Initial Case Management Conference in this action currently is scheduled  
7 for May 6, 2013, at 1:30 p.m.;

8 WHEREAS, as is further detailed in the accompanying Declaration of Stephen P.  
9 Sonnenberg, the parties have stipulated to stay all proceedings in this matter for ninety (90) days  
10 to provide time for notice of settlement of a class and collective action lawsuit currently pending  
11 before the United States District Court for the Southern District of New York involving the same  
12 claims pled in this action to be sent, so that the putative members of this action may be given the  
13 opportunity to participate in or opt out of the settlement before this action proceeds;

14 WHEREAS, the parties so stipulate in the interest of efficient litigation, conservation of  
15 the Court's resources, and in order to avoid confusion on the part of putative class and collective  
16 action members arising from overlapping litigation;

17 WHEREAS, counsel for both parties are available to appear for an Initial Case  
18 Management Conference hearing on August 12, 2013 at 1:30 p.m.;

19 Accordingly, the parties to this matter, by and through their respective attorneys of record,  
20 hereby stipulate to and jointly request that the Court stay all proceedings in this action for ninety  
21 (90) days, and that the Initial Case Management Conference be continued to August 12, 2013, at  
22 1:30 p.m.

23 SO STIPULATED.  
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DATED: April 16, 2013

TOMAS E. MARGAIN  
CASA LEGAL

By: \_\_\_\_\_ /s/  
TOMAS E. MARGAIN

Attorneys for Plaintiffs  
FERNANDO DE SAUSA and JESSICA SHUM

DATED: April 16, 2013

E. JEFFREY GRUBE  
PAUL HASTINGS LLP

By: \_\_\_\_\_ /s/  
E. JEFFREY GRUBE

Attorneys for Defendants  
HSBC BANK U.S.A., N.A., HSBC USA, INC., and  
HSBC NORTH AMERICA HOLDINGS, INC.

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**[Proposed] Order**

Good cause appearing, all proceedings in this action shall be stayed for ninety (90) days from the date of this Order, and the Initial Case Management Conference shall be continued to August 12, 2013, at 1:30 p.m. The Initial Case Management Conference Statement shall be filed on or before August 5, 2013.

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

Dated: 04/16/2013

