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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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

CASE NO. CV12-05081-TEH

13 Plaintiffs,

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE THE INITIAL
CASE MANAGEMENT CONFERENCE
PENDING PRIVATE MEDIATION**

14 vs.

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

17 Defendants.

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18 Attorneys for Defendants
19 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 continue the Initial Case Management Conference
3 which is currently scheduled to be held on December 2, 2013, at 1:30 p.m., to a date to be
4 scheduled at the Court's convenience no earlier than March 3, 2014 for the reasons set forth
5 below.

6 WHEREAS, the Initial Case Management Conference in this action currently is scheduled
7 for December 2, 2013, at 1:30 p.m.;

8 WHEREAS, the parties have agreed to hold a mediation at JAMS before the Honorable
9 William J. Cahill on January 24, 2014. The parties already have discussed the types of data and
10 documents to exchange confidentially and informally prior to mediation for purposes of
11 facilitating settlement negotiations;

12 WHEREAS, the parties have agreed to mediate, as part of the same mediation described
13 immediately above, the claims of another individual who is not a party to this lawsuit but for
14 whom the undersigned have entered into a statute of limitations tolling agreement to facilitate
15 mediation;

16 WHEREAS, the parties wish to exhaust attempts to resolve this matter through mediation
17 before addressing fact and expert discovery cutoffs and a trial date and, as such, wish to postpone
18 the Initial Case Management Conference until after the mediation session.

19 Accordingly, the parties to this matter, by and through their respective attorneys of record,
20 hereby stipulate to and jointly request that the Initial Case Management Conference be continued
21 to March 3, 2014, at 1:30 p.m. or such other date as is convenient for the Court.

22 SO STIPULATED.

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DATED: November 20, 2013

TOMAS E. MARGAIN
JUSTICE AT WORK LAW GROUP

By: _____/s/
TOMAS E. MARGAIN

Attorneys for Plaintiffs
FERNANDO DE SAUSA and JESSICA SHUM

DATED: November 20, 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, the Initial Case Management Conference scheduled for December 2, 2013 shall be continued to March 3, 2014, at 1:30 p.m. The Initial Case Management Conference Statement shall be filed on or before February 24, 2014.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 11/21/2013



THELTON E. HENDERSON
UNITED STATES DISTRICT JUDGE