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A limited liability partnership formed in the State of Delaware

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17 Attorneys for Defendants
Merrill Lynch, Pierce, Fenner & Smith, Inc.;
18 Bank of America Corporation

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

21 ABDULLAH BYANOONI individually and on
22 behalf of a class and subclass of similarly situated
individuals,

23 Plaintiff,

24 vs.

25 MERRILL LYNCH, PIERCE, FENNER &
26 SMITH; BANK OF AMERICA
CORPORATION; and DOES 1 through 10,
27 inclusive,

28 Defendants.

Case No. 3:12-cv-05270-RS

**JOINT STIPULATION TO CONTINUE
DISCOVERY CUTOFF; [~~PROPOSED~~]
ORDER**

Dept.: Courtroom 3, SF

The Honorable Richard Seeborg

Complt. Filed: August 17, 2012

STIPULATION

1
2 Plaintiff Abdullah Byanooni and Defendants Merrill Lynch, Pierce, Fenner &
3 Smith, Inc.; Bank of America Corporation (collectively “the parties”), by and through
4 their respective attorneys of record, agree and stipulate as follows:

5 WHEREAS, the parties attended a Case Management Conference in this matter
6 on January 17, 2013;

7 WHEREAS, following the Case Management Conference, the Court issued a
8 Scheduling Order providing (1) that the parties shall complete all non-expert
9 discovery pertaining to class certification on or before March 29, 2013; and (2) setting
10 a hearing on class certification for September 29, 2013.

11 WHEREAS, the parties have agreed to engage in early mediation in March
12 2013 and desire to do so without the cost and burden of simultaneously pursuing
13 formal discovery and motion practice;

14 WHEREAS, the parties have met and conferred and agree to extend the
15 deadline for all non-expert discovery pertaining to class certification from March 29,
16 2013 to August 1, 2013.

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THEREFORE, based on the foregoing, the parties agree:

1. All non-expert discovery pertaining to class certification shall be completed on or before August 1, 2013; and
2. That all related discovery deadlines will be set per statute based off the August 1, 2013 cutoff.

Dated: January 25, 2013

/s/ Ashley L. Shively
REED SMITH, LLP

Attorneys for Defendants
Merrill Lynch, Pierce, Fenner & Smith, Inc.
and Bank of America Corporation

Dated: January 25, 2013

/s/ Anthony J. Orshansky
[holographic signature on file]
ORSHANSKY & YEREMIAN LLP

Attorneys for Plaintiff Abdullah Byanooni

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[PROPOSED] ORDER

Based on the above stipulation of the Parties, this Court hereby orders:

1. All non-expert discovery pertaining to class certification shall be completed by the parties on or before August 1, 2013.
2. All discovery related deadlines shall be set per Code based off the August 1, 2013 cutoff.

SO ORDERED:

DATED: 1/28, 2013



RICHARD SEEBORG
United States District Judge