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12 Attorneys for Defendants  
 CASH AMERICA INTERNATIONAL, INC.,  
 13 and CNU OF CALIFORNIA, LLC (formerly known as  
 14 CASH AMERICA NET OF CALIFORNIA, LLC)

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17  
 18 SAN FRANCISCO DIVISION

19 PAULA BERNAL and MARY F. BAILEY, on  
 20 behalf of themselves and all persons similarly  
 21 situated,

22 Plaintiffs,

23 v.

24 CASH AMERICA INTERNATIONAL, INC.,  
 25 CASH AMERICA NET OF CALIFORNIA, LLC,  
 CNU OF CALIFORNIA, LLC, and Does 1  
 26 through 100, inclusive,

27 Defendants.

Case No. CV 12-05792-JSW

**STIPULATED REQUEST TO CONTINUE  
 INITIAL CASE MANAGEMENT  
 CONFERENCE AND CORRESPONDING  
 DEADLINES AND [~~PROPOSED~~] ORDER**

1 Plaintiffs PAULA BERNAL and MARY F. BAILEY and Defendants CASH AMERICA  
2 INTERNATIONAL, INC., and CNU OF CALIFORNIA, LLC (formerly known as CASH  
3 AMERICA NET OF CALIFORNIA, LLC) (hereinafter, collectively, the “Parties”), by and through  
4 their undersigned counsel, report that they have met and conferred and submit the following stipulated  
5 request:

6 WHEREAS, upon removal to this Court on November 9, 2012, this action was assigned to  
7 Magistrate Judge Donna M. Ryu;

8 WHEREAS, on November 9, 2012, the Court issued an ORDER SETTING INITIAL CASE  
9 MANAGEMENT CONFERENCE AND ADR DEADLINES (the “November 9 Order”), assigning  
10 the action to the Alternative Dispute Resolution (“ADR”) Multi-Option Program and: (1) scheduling  
11 the Initial Case Management Conference (“CMC”) for February 13, 2013; (2) noting that, according  
12 to Federal Rule of Civil Procedure 26(a)(1) and Local Rule 16-9, the Parties are to file their Joint  
13 Case Management Statement no later than February 6, 2013; (3) noting that, according to Federal  
14 Rule of Civil Procedure 26(f) and ADR Local Rule 3-5, the last day for the Parties to meet and confer  
15 regarding initial disclosures, early settlement, ADR process selection, and a discovery plan is January  
16 23, 2013; and (4) noting that, according to Local Rule 16-8 and ADR Local Rule 3-5, the last day for  
17 the Parties to file their respective ADR Certifications is January 23, 2013; and (5) noting that,  
18 according to Local Rule 16-8 and ADR Local Rule 3-5, the last day for the Parties to file either a  
19 Stipulation to ADR Process or a Notice of Need for ADR Phone Conference is January 23, 2013.

20 WHEREAS, the November 9 Order noted that in the event that the Initial CMC is continued,  
21 the other deadlines are continued accordingly;

22 WHEREAS, on November 20, 2012, this action was reassigned to Judge Jeffrey S. White;

23 WHEREAS, on November 20, 2012, the Court issued an ORDER SETTING CASE  
24 MANAGEMENT CONFERENCE AND REQUIRING CASE MANAGEMENT CONFERENCE  
25 STATEMENT, rescheduling the initial CMC for February 15, 2013 and ordering the parties to file  
26 their joint case management statement no later than five court days before the Initial CMC.

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1 WHEREAS, according to the November 9 Order, the continuance of the Initial CMC (from  
2 February 13, 2013 to February 15, 2013) continued all of the deadlines set in the November 9 Order  
3 by two days such that the current deadlines are as follows: (1) February 8, 2013 is the last day for the  
4 Parties to file their Joint Case Management Statement; (2) January 25, 2013 is the last day for the  
5 Parties to meet and confer regarding initial disclosures, early settlement, selecting an ADR process,  
6 and a discovery plan; (3) January 25, 2013 is the last day for the Parties to file their respective ADR  
7 Certifications; and (4) January 25, 2013 is the last day for the Parties to file either a Stipulation to  
8 ADR Process or a Notice of Need for ADR Phone Conference.

9 WHEREAS, Defendants have filed a Motion to Compel Arbitration, seeking to compel the  
10 arbitration of Plaintiff Bernal's and Plaintiff Bailey's respective claims pursuant to the terms of the  
11 arbitration agreement contained in each of Plaintiffs' loan agreements with Defendants;

12 WHEREAS, Defendants' Motion to Compel Arbitration is now fully briefed and is scheduled  
13 to be heard on February 1, 2013;

14 WHEREAS, the Parties have met and conferred and have agreed that in light of the nature of  
15 the pending Motion to Compel Arbitration (which could result in a stay of this action while Plaintiffs'  
16 claims are arbitrated), and in the interests of efficiency and judicial economy, there is good cause for a  
17 short continuance of the Initial CMC and corresponding deadlines;

18  
19 NOW, THEREFORE, THE PARTIES HEREBY SUBMIT THIS STIPULATED REQUEST  
20 as follows:

21 In light of the pending Motion to Compel Arbitration, the Parties request that the Initial Case  
22 Management Conference be continued for at least 30 days, until March 22, 2013 at 1:30 p.m., or as  
23 soon thereafter as the Court has availability. Assuming a March 22, 2013 CMC, the Parties hereby  
24 request that the corresponding deadlines be continued as follows:

- 25 • The Parties' deadline, in accordance with Federal Rule of Civil Procedure 26(a)(1) and Local  
26 Rule 16-9, for filing their Joint Case Management Statement be continued to March 15, 2013;

- 1 • The Parties' deadline for meeting and conferring, in accordance with Federal Rule of Civil  
2 Procedure 26(f) and ADR Local Rule 3-5, regarding initial disclosures, early settlement, ADR  
3 process selection, and a discovery plan, be continued to March 1, 2013;
- 4 • The Parties' deadline, in accordance with Local Rule 16-8 and ADR Local Rule 3-5, for filing  
5 their respective ADR Certifications be continued to March 1, 2013; and
- 6 • The Parties' deadline, in accordance with Local Rule 16-8 and ADR Local Rule 3-5, for filing  
7 either a Stipulation to ADR Process or a Notice of Need for ADR Phone Conference be  
8 continued to March 1, 2013.

9  
10 Dated: January 23, 2013

Respectfully submitted,

**O'RIELLY & ROCHE LLP**

By: /s/ Daniel J. O'Rielly  
Daniel J. O'Rielly

Attorneys for Defendants  
CASH AMERICA INTERNATIONAL,  
INC., and CNU OF CALIFORNIA, LLC  
(formerly known as CASH AMERICA NET  
OF CALIFORNIA, LLC)

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19 Dated: January 23, 2013

**LAKESHORE LAW CENTER**

By: /s/ Jeffrey Wilens  
Jeffrey Wilens

Attorneys for Plaintiffs  
PAULA BERNAL and MARY F. BAILEY

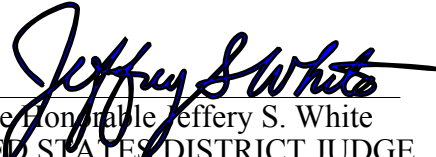
**[PROPOSED] ORDER**

The Initial Case Management Conference is hereby continued for 35 days and shall be held on March 22, 2013 at 1:30 p.m., in Courtroom 11, 19th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California. The corresponding deadlines are continued as follows:

- In accordance with Federal Rule of Civil Procedure 26(a)(1) and Local Rule 16-9, the Parties shall file their Joint Case Management Statement no later than March 15, 2013;
- The Parties shall meet and confer, in accordance with Federal Rule of Civil Procedure 26(f) and ADR Local Rule 3-5, regarding initial disclosures, early settlement, ADR process selection, and a discovery plan no later than March 1, 2013;
- In accordance with Local Rule 16-8 and ADR Local Rule 3-5, the Parties shall file their respective ADR Certifications no later than March 1, 2013; and
- In accordance with Local Rule 16-8 and ADR Local Rule 3-5, the Parties shall file either a Stipulation to ADR Process or a Notice of Need for ADR Phone Conference no later than March 1, 2013.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January <sup>24</sup>\_\_\_\_\_, 2013

  
The Honorable Jeffrey S. White  
UNITED STATES DISTRICT JUDGE