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Attorneys For Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RICHARD D’ALESSIO, et al., Individually
and on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

WELLS FARGO HOME MORTGAGE, et al.,

Defendants.

CASE NO. C 13-00999-SI

[The Hon. Susan Illston]

**JOINT STIPULATION ON PROPOSED
BRIEFING SCHEDULE AND HEARING
ON MOTION; ~~PROPOSED~~ ORDER**

The parties, by and through their counsel of record, hereby enter in the stipulation below concerning the response to Plaintiffs’ Complaint, the briefing schedule and hearing date for any motion to dismiss. This stipulation is based on the following:

- A. Plaintiffs filed their Class Action Complaint on March 4, 2013 (Dkt #1)
- B. Because of the complexity of the factual and legal issues raised in the complaint, and to coordinate the briefing of any motion to dismiss in this action with the briefing in *Murphy v. Wells Fargo Home Mortgage*, Case Number C 12-006228-SI, which was related to this action by Order dated March 12, 2013 (*Murphy*, Dkt #23), the parties desire that the Court set the briefing schedule set forth below, which schedule the parties are also stipulating to in *Murphy*;

The parties hereby stipulate:

- 1. Defendants shall respond to the complaint on or before April 12, 2013;
- 2. If Defendants file a motion in response to the complaint, then Plaintiffs shall file an opposition to the motion on or before May 10, 2013; and

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 3/15, 2013



HON. SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

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ECF CERTIFICATION

Pursuant to Local Rule 5-1(i)(3), the filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to the document.

Dated: March 15, 2013

By: /s/ Jeffrey K. Berns

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CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Berns Weiss LLP, 20700 Ventura Blvd., Suite 140, Woodland Hills, CA 91364. On the date listed below, I served the following document(s) by the method indicated below:

1. JOINT STIPULATION ON PROPOSED BRIEFING SCHEDULE AND HEARING ON MOTION; [PROPOSED] ORDER

_____ by transmitting via facsimile on this date from fax number _____ the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 PM and was reported complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting fax machine. Service by fax was made by agreement of the parties, confirmed in writing. The transmitting fax machine complies with Cal. R. Ct 2003(3).

X by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail Los Angeles, California addressed as set forth below. I am readily familiar with the firm’s practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.

_____ by placing the document(s) listed above in a sealed envelope(s) and by causing personal delivery of the envelope(s) to the person(s) at the address(es) set forth below.

_____ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

_____ by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below.

X by transmitting via email to the parties at the email addresses listed below.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 15, 2013, at Woodland Hills, California.



Albert G. Lum