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 8 INC.

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12 Attorneys for Plaintiff,
 13 OBED M. APOSTOL, JR.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 OBED APOSTOL, JR., an individual;

Case No.: 3:13-cv-01983-WHO

18
 19 Plaintiff,

**JOINT STIPULATION (1) SETTING
 MOTION TO DISMISS BRIEFING
 SCHEDULE AND HEARING DATE ON
 FIRST AMENDED COMPLAINT, AND (2)
 RESCHEDULING CASE MANAGEMENT
 CONFERENCE; DECLARATION OF
 STEVEN E. RICH; ~~PROPOSED~~ ORDER**

20 v.

21 CITIMORTGAGE, INC., a New York
 Corporation; CITI RESIDENTIAL LENDING,
 22 INC., a national banking association; CR TITLE
 SERVICES, INC., a Delaware Corporation;
 23 CRYSTAL MOORE, an individual; BRYAN
 BLY, an individual; MORTGAGE
 24 ELECTRONIC REGISTRATION SYSTEMS,
 INC., a Delaware Corporation; and DOES 1
 25 through 100, inclusive,

[Civ. L.R. 6-2 AND 7-12]

First Amended Complaint filed: August 19,
 2013

26 Defendants.
 27

28 **JOINT STIPULATION (1) SETTING MOTION TO DISMISS BRIEFING SCHEDULE AND HEARING DATE
 ON FIRST AMENDED COMPLAINT, AND (2) RESCHEDULING CASE MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER; CASE NO. 3:13-CV-01983-WHO**

1 This Stipulation is entered into by and between Plaintiff Obed M. Apostol, Jr.
2 (“Plaintiff”), Defendants CitiMortgage, Inc., Citi Residential Lending, Inc., CR Title Services,
3 Inc., (collectively “Citi”), Defendant Mortgage Electronic Registration Systems, Inc. (“MERS”),
4 and Defendants Crystal Moore and Bryan Bly (“Moore & Bly,” and with Plaintiff, Citi, and
5 MERS, the “Parties”), pursuant to Civil Local Rules 6-2 and 7-12 as follows:

6 **RECITALS**

7 A. On April 30, 2013, Plaintiff filed his Complaint (the “Complaint”) against Citi,
8 MERS, and Moore & Bly (collectively, the “Defendants”).

9 B. On June 26, 2013, Plaintiff, Citi and MERS filed a stipulation setting July 29,
10 2013 as the deadline for Citi and MERS to respond to the Complaint. Dkt. No. 12.

11 C. On July 29, 2013, Citi and MERS filed a motion to dismiss the Complaint (the
12 “Citi & MERS Motion”). Dkt. Nos. 21-22.

13 D. Also on July 29, 2013, Moore & Bly filed a motion to dismiss the Complaint (the
14 “Moore & Bly Motion,” and with the Citi & MERS Motion, the “Motions”). Dkt. Nos. 19-20;
15 23.

16 E. On August 2, 2013, on stipulation by the parties (Dkt. No. 24), the Court ordered
17 that Plaintiff shall file his respective oppositions to the Motions on August 19, 2013; that Citi,
18 MERS and Moore & Bly shall file their respective reply briefs on September 4, 2013; that the
19 hearing on the Motions shall be on September 25, 2013 at 2:00 p.m.; and that a Case
20 Management Conference shall be on October 22, 2013 at 2:00 p.m. Dkt. No. 25.

21 F. On August 19, 2013, instead of filing oppositions to the Motions, Plaintiff filed
22 his First Amended Complaint (the “FAC”) against Citi, MERS, and Moore & Bly.

23 G. Given the new causes of action asserted in Plaintiff’s 161-paragraph, 7-count
24 FAC, the number of Parties on each side, and the schedules of counsel, the Parties conferred with
25 each other and agreed to the following coordinated briefing scheduling and hearing date.

26 H. Citi, MERS and Moore & Bly shall file their respective motions to dismiss the
27 FAC (the “Motions to Dismiss the FAC”) by September 27, 2013.

1 I. Plaintiff shall file his respective oppositions to the Motions to Dismiss the FAC
2 by October 21, 2013.

3 J. Citi, MERS and Moore & Bly shall file their respective reply briefs by November
4 6, 2013.

5 K. The hearing on the Motions to Dismiss the FAC shall be on November 20, 2013
6 at 2:00 p.m.

7 L. The Parties further believe that good cause exists to reschedule the CMC from
8 October 22, 2013 to December 17, 2013 at 2:00 p.m., so as to conserve the resources of the
9 Parties and the Court while dispositive motions on the FAC are pending.

10 M. Except as described herein, this Stipulation will have no effect on the schedule for
11 the case.

12 **AGREEMENT**

13 NOW, THEREFORE, based upon the foregoing, the Parties hereby STIPULATE AND
14 AGREE AS FOLLOWS, subject to Court approval:

15 1. The Parties incorporate by reference each of the Recitals contained in paragraphs
16 A through M hereinabove as if set forth in full herein.

17 2. The Parties agree to the briefing schedule and hearing and CMC date set forth in
18 Recitals H through L above.

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20 **IT IS SO STIPULATED.**

21
22 DATED: August 26, 2013

MAYER BROWN LLP

23
24 By: /s/ Steven E. Rich

Steven E. Rich

Attorneys for Defendants

25 CITIMORTGAGE, INC., CITI RESIDENTIAL LENDING,
26 INC., CR TITLE SERVICES, INC., and MORTGAGE
27 ELECTRONIC REGISTRATION SYSTEMS, INC.

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DATED: August 26, 2013

LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.

By: /s/ Irv M. Gross
Irv. M. Gross
Attorneys for Defendants
CRYSTAL MOORE AND BRYAN BLY

DATED: August 26, 2013

LAW OFFICES OF MARK LAPHAM, ESQ.

By: /s/ Mark Lapham
Mark Lapham
Attorneys for Plaintiff OBED M. APOSTOL, JR.

1 each other and agreed to the following coordinated briefing scheduling and hearing date.

2 H. Citi, MERS and Moore & Bly shall file their respective motions to dismiss the
3 FAC (the "Motions to Dismiss the FAC") by September 27, 2013.

4 I. Plaintiff shall file his respective oppositions to the Motions to Dismiss the FAC
5 by October 21, 2013.

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7 6, 2013.

8 K. The hearing on the Motions to Dismiss the FAC shall be on November 20, 2013
9 at 2:00 p.m.

10 L. The Parties further believe that good cause exists to reschedule the CMC from
11 October 22, 2013 to December 17, 2013 at 2:00 p.m., so as to conserve the resources of the
12 Parties and the Court while dispositive motions on the FAC are pending.

13 M. Except as described herein, this Stipulation will have no effect on the schedule for
14 the case.

15 I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct.

17 Executed on this 26th day of August 2013, in Los Angeles, California.

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Steven E. Rich

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 Dated: August 28, 2013

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Hon. William H. Orrick
United States District Judge

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FILER'S ATTESTATION

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Pursuant to General Order No. 45, § X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from all of the signatories.

DATED: August 26, 2013

/s/ Steven E. Rich
Steven E. Rich