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BAKER LAW PRACTICE

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14 Attorneys for Plaintiff
SHERI GARIBALDI



15
16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18
19 SHERI GARIBALDI, on behalf of
herself and all others similarly situated,

20 Plaintiff,

21 vs.

22 BANK OF AMERICA, NATIONAL
ASSOCIATION, and DOES 1 through
23 10,

24 Defendants.
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CASE NO. 3:13-CV-02223-SI

**FOURTH STIPULATION FOR
EXTENSION OF DEADLINE FOR
DEFENDANT TO RESPOND TO
FIRST AMENDED COMPLAINT**

1 WHEREAS, Plaintiff Sheri Garibaldi (“Plaintiff”) filed the above-captioned
2 Complaint in the San Mateo County Superior Court on April 12, 2013;

3 WHEREAS, Defendant Bank of America Corporation (“BAC”) removed this
4 case to the United States District Court for the Northern District of California on
5 May 15, 2013;

6 WHEREAS, BAC’s last day to file a responsive pleading to the Complaint
7 was May 22, 2013;

8 WHEREAS, on May 22, 2013, the parties stipulated to extend BAC’s time
9 within which to respond to Plaintiff’s Complaint by two days, up to and including
10 May 24, 2013 (Dkt. 6);

11 WHEREAS, on May 24, 2013, the parties stipulated to extend BAC’s time
12 within which to respond to Plaintiff’s Complaint by twelve days, up to and including
13 June 5, 2013 (Dkt. 9);

14 WHEREAS, on June 5, 2013, Plaintiff filed a First Amended Complaint (Dkt.
15 15), which, among other things, substituted Bank of America, N.A. (“BANA”) for
16 Bank of America Corporation;

17 WHEREAS, on June 19, 2013, the parties stipulated to extend BANA’s
18 deadline to respond to the First Amended Complaint to July 17, 2013 while the
19 parties resolved outstanding issues regarding a potential mediation of this action
20 (Dkt. 17);

21 WHEREAS, on July 17, 2013, the parties stipulated to extend BANA’s
22 deadline to respond to the First Amended Complaint to September 4, 2013 while the
23 parties worked to schedule a mediation and while the parties worked to exchange
24 various pre-mediation documents and information (Dkt. 19);

25 WHEREAS, on September 3, 2013, the parties stipulated to extend BANA’s
26 deadline to respond to the First Amended Complaint to September 17, 2013 while
27 the parties continued to worked to exchange various pre-mediation documents and
28

1 information (Dkt. 22);

2 WHEREAS, the Parties have scheduled a private mediation on October 9,
3 2013;

4 WHEREAS, BANA has produced substantial documents and data to Plaintiff
5 in connection with the upcoming mediation, including the most recent productions
6 by BANA on September 16 and 17, 2013;

7 WHEREAS, BANA intends to respond to the First Amended Complaint by
8 filing a Motion to Dismiss pursuant to FED. R. CIV. P. 12(b) but desires to avoid
9 expending unnecessary resources in engaging in potentially unnecessary motion
10 practice in advance of mediation;

11 WHEREAS, the parties are also discussing a proposal by Plaintiff to file a
12 Second Amended Complaint, and BANA desires to avoid expending unnecessary
13 resources responding to a complaint that may be amended;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
15 and between Plaintiff and BANA through their respective undersigned counsel that
16 BANA will have an extension, up to and through September 24, 2013, to serve and
17 file its response to the First Amended Complaint.

18 DATED: September 17, 2013 **MCGUIREWOODS LLP**

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By: /s/ John A. Van Hook
 John A. Van Hook
 Attorneys for Defendant
 Bank of America, N.A.

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DATED: September 17, 2013 **BAKER LAW PRACTICE**

By: /s/ Chris Baker
 Chris Baker
 Attorneys for Plaintiff
 Sheri Garibaldi

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CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2013, I electronically transmitted the foregoing document to the Clerk’s Office using the CM/ECF System for filing and service via transmittal of a Notice of Electronic Filing.

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

Executed on September 17, 2013, at Los Angeles, California.

/s/ John A. Van Hook
JOHN A. VAN HOOK