

McGUIREWOODS LLP

Matthew C. Kane (SBN 171829)
Email: mkane@mcguirewoods.com
Michael D. Mandel (SBN 216934)
Email: mmandel@mcguirewoods.com
John A. Van Hook (SBN 205067)
Email: jvanhook@mcguirewoods.com
Christopher Killens (SBN 254466)
Email: ckillens@mcguirewoods.com
1800 Century Park East, 8th Floor
Los Angeles, California 90067
Telephone: (310) 315-8200
Facsimile: (310) 315-8210

Attorneys for Defendant
BANK OF AMERICA, N.A.

BAKER LAW PRACTICE

Chris Baker (SBN 181557)
Email: cbaker@bakerlp.com
44 Montgomery Street, Suite 3520
San Francisco, California 94104
Telephone: (415) 433-1064
Facsimile: (415) 520-0446

Attorneys for Plaintiff
SHERI GARIBALDI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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

Plaintiff,

vs.

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

Defendants.

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

SECOND STIPULATION AND
~~PROPOSED~~ ORDER GRANTING
EXTENSION OF DEADLINE FOR
DEFENDANT TO RESPOND TO
SECOND 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, the Parties agreed to multiple stipulations of BANA's time to
18 respond to FAC in connection with the Parties' efforts to mediate the case;

19 WHEREAS, the Parties agreed that Plaintiff could file a Second Amended
20 Complaint ("SAC") and that BANA would have 21 days from the date of filing of
21 the SAC to file its response, so that BANA's deadline to respond to the SAC would
22 be after the mediation in this matter, which is scheduled for October 9, 2013;

23 WHEREAS, on September 24, 2013, Plaintiff filed her SAC (Dkt. 25);

24 WHEREAS, on October 8, 2013, the Parties stipulated to Provide BANA
25 until October 15, 2013 to respond to the SAC (Dkt. 27);

26 WHEREAS, on October 9, 2013, the Parties took part in a private mediation,
27 which resulted in a mediator's proposal that may resolve portions of the lawsuit, and
28

1 which is still pending;

2 WHEREAS, to facilitate the process of exploring a potential settlement, the
3 Parties agree to extend BANA's deadline to respond to the SAC by an additional 7
4 days, up to and including October 22, 2013;

5 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by
6 and between Plaintiff and BANA through their respective undersigned counsel that
7 BANA will have an extension, up to and through October 22, 2013, to serve and file
8 its response to the Second Amended Complaint.

9 DATED: October 15, 2013

McGUIREWOODS LLP

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

14 DATED: October 15, 2013

BAKER LAW PRACTICE


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17 By: /s/ Chris Baker
18 Chris Baker
19 Attorneys for Plaintiff
20 Sheri Garibaldi
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1 **[PROPOSED] ORDER**

2 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

3 The Court, having read and considered the Parties' SECOND STIPULATION
4 FOR EXTENSION OF DEADLINE FOR DEFENDANT TO RESPOND TO
5 SECOND AMENDED COMPLAINT, and finding good cause in support thereof,
6 the Court hereby orders that Defendant shall have until October 22, 2013 to file and
7 serve its response to the Second Amended Complaint.

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9
10 DATED: 10/15/13


11 HON. SUSAN ILLSTON
12 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on October 15, 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 October 15, 2013, at Los Angeles, California.

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