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8 Attorneys for Defendant  
 9 U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR  
 10 IN INTEREST TO THE FEDERAL DEPOSIT INSURANCE  
 11 CORPORATION AS RECEIVER FOR DOWNEY SAVINGS  
 12 AND LOAN ASSOCIATION, F.A.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 MARSHAL ROTHMAN

16 Plaintiff,

17 vs.

18 U.S. BANK NATIONAL ASSOCIATION  
 19 & OLD REPUBLIC DIVERSIFIED  
 20 SERVICES, INC. d/b/a OLD REPUBLIC  
 21 DEFAULT MANagements SERVICES

22 Defendants.

Case No: CV 13 3381

**FIRST AMENDED STIPULATION AND  
~~PROPOSED~~ ORDER EXTENDING  
 DEADLINE TO FILE JOINT  
 DISCOVERY LETTER**

Complaint Filed: July 19, 2013  
 Trial Date: June 22, 2015

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1 Defendant, U.S. Bank National Association, Successor in Interest to the Federal Deposit  
2 Insurance Corporation as Receiver for Downey Savings and Loan Association, F.A.  
3 (“U.S. Bank”) and Plaintiff, Marshal Rothman (“Plaintiff”) (collectively, the “Parties”), through  
4 the undersigned counsel hereby stipulate and agree as follows:

5 1. On December 17, 2014, this Court entered an Order (the “Discovery Order”)  
6 directing the Parties to immediately meet and confer regarding the issues raised in Plaintiff’s  
7 Motion to Compel and to file a joint discovery letter by December 31, 2014. [Docket No: 113]  
8 This Court subsequently continued the deadline to file a joint discovery letter from December 31,  
9 2014 to January 28, 2015. [Docket No. 118]

10 2. Plaintiff served upon U.S. Bank the following written discovery requests:  
11 (i) Plaintiff’s Fourth Set of Request for Production of Documents, (ii) Plaintiff’s Fourth Set of  
12 Interrogatories, and (iii) Plaintiff’s Third Request for Admissions (collectively, the “Discovery  
13 Requests”).

14 3. Since January 14, 2015, the Parties engaged in extensive settlement negotiations.  
15 The Parties are optimistic that they will reach a settlement. To allow the Parties time to finalize  
16 their negotiations, the Parties request that this Court extend the deadline to file a joint discovery  
17 letter from **January 28, 2015 to February 9, 2015**. Also, the Parties agree that the deadline for  
18 U.S. Bank to serve responses to the Discovery Requests shall be **February 9, 2015**.

19 **THE FOREGOING IS STIPULATED AND AGREED TO BY:**

20 Dated: January 23, 2015

GAW | POE LLP

21 By:           /s/Randolph Gaw            
22 Randolph Gaw

23 Attorneys for Plaintiff  
MARSHAL ROTHMAN

24 Dated: January 23, 2015

LECLAIRRYAN

25 By:           /s/Robert S. McWhorter            
26 Robert S. McWhorter

27 Attorneys for Defendant  
U.S. BANK NATIONAL ASSOCIATION, SUCCESSOR  
28 IN INTEREST TO THE FDIC AS RECEIVER FOR  
DOWNEY SAVINGS AND LOAN ASSOCIATION, F.A.

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**ORDER**

Pursuant to the foregoing Stipulation, this Court finds good cause to grant the relief requested therein.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT** the Parties' deadline to file a joint discovery letter is extended from **January 28, 2015 to February 9, 2015** and U.S. Bank's deadline to respond to the Discovery Requests is extended until **February 9, 2015**.

Dated: January 23, 2015



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U.S. District Court Magistrate Judge