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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

**SECOND 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. 12]

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 U.S. Bank prepared a draft Settlement Agreement for Plaintiff’s review and approval. Plaintiff is
16 reviewing this draft. To allow the Parties time to finalize the Settlement Agreement, the Parties
17 request that this Court extend the deadline to file a joint discovery letter from **February 9, 2015**
18 **to February 23, 2015**. Also, the Parties agree that the deadline for U.S. Bank to serve responses
19 to the Discovery Requests shall be **February 23, 2015**.

20 4. If this case does not resolve, the Parties shall schedule the deposition of Marshal
21 Rothman at a mutually agreeable date and time.

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

23 Dated: February 6, 2015

GAW | POE LLP

24 By: /s/Randolph Gaw
25 Randolph Gaw

26 Attorneys for Plaintiff
27 MARSHAL ROTHMAN
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