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19 **UNITED STATES DISTRICT COURT**

20 **NORTHERN DISTRICT OF CALIFORNIA**

21 **SAN FRANCISCO DIVISION**

22 WELLS FARGO BANK, NATIONAL
 23 ASSOCIATION, as Trustee, *et al.*,

24 Plaintiffs,

25 v.

26 CITY OF RICHMOND, CALIFORNIA, a
 27 municipality, and MORTGAGE
 RESOLUTION PARTNERS LLC,

28 Defendants.

Case No. CV-13-3663-CRB

**STIPULATION TO CONSOLIDATE
 HEARINGS ON DEFENDANTS' MOTION
 TO DISMISS AND PLAINTIFFS'
 MOTION FOR PRELIMINARY
 INJUNCTION AND FOR RELATED
 RELIEF**

Honorable Charles R. Breyer

1 WHEREAS, Plaintiffs have moved for a preliminary injunction;

2 WHEREAS, Defendants filed an opposition to the preliminary injunction motion on
3 August 22, 2013;

4 WHEREAS, Defendants filed a 7-page motion to dismiss this action for lack of subject
5 matter jurisdiction on August 23, 2013;

6 WHEREAS, the contentions in Defendants' motion to dismiss are also set forth as part of
7 their opposition to the preliminary injunction motion;

8 WHEREAS, the parties agree that it makes sense for the Court to consider the motion to
9 dismiss contemporaneously with the motion for preliminary injunction;

10 WHEREAS, the preliminary injunction hearing is set for September 13, 2013, and the
11 motion to dismiss hearing is set for October 11, 2013;

12 WHEREAS, the parties have previously agreed that the hearing date on the preliminary
13 injunction can be moved to September 9, 10, 11, or 12, 2013, to accommodate the vacation
14 schedule of Defendants' lead counsel (Doc. 25);

15 IT IS HEREBY STIPULATED by all parties as follows:

- 16 1. Plaintiffs will file their opposition to the motion to dismiss by August 30, 2013;
- 17 2. Defendants will file any reply on the motion to dismiss by September 4, 2013; and
- 18 3. The hearing on the preliminary injunction and the motion to dismiss can be moved to
19 September 9, 10, 11, or 12, 2013.

20 Dated: August 23, 2013

ALTSHULER BERZON LLP

By: /s/ Scott A. Kronland

Scott A. Kronland

ATTORNEYS FOR DEFENDANTS
CITY OF RICHMOND, CALIFORNIA
MORTGAGE RESOLUTION PARTNERS LLC

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ROPES & GRAY LLP

By: /s/ Rocky C. Tsai

Rocky C. Tsai

ATTORNEYS FOR PLAINTIFFS WELLS
FARGO BANK, N.A., AS TRUSTEE;
DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE; AND DEUTSCHE
BANK TRUST COMPANY AMERICAS, AS
TRUSTEE

I attest that concurrence in the filing of this document has been obtained from Rocky C.
Tsai, whose conformed signature is set forth above.

/s/ Scott A. Kronland

Scott A. Kronland