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8 *Attorney for Defendant Trilegiant Corporation*

9 **UNITED STATES DISTRICT COURT**

10 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

11 ASHLEY AMIRHAMZEH, individually,
 12 and on behalf of all others similarly situated,

13 Plaintiff,

14 vs.

15 WELLS FARGO BANK, N.A.,
 16 TRILEGIANT CORPORATION, a
 17 Delaware corporation, and DOES 1 through
 18 20, inclusive,

19 Defendants.

Case No. 3:14-cv-02123-VC

Hon. Vince Chhabria

**STIPULATION [AND PROPOSED]
 ORDER CONTINUING INITIAL CASE
 MANAGEMENT CONFERENCE AND
 ASSOCIATED DEADLINES AS
 MODIFIED**

19 WHEREAS, Plaintiff Ashley Amirhamzeh (“Plaintiff”) filed her Class Action Complaint
 20 in this action on May 8, 2014, naming as Defendants Wells Fargo Bank, N.A. and Trilegiant
 21 Corporation (individually “Defendant” and collectively “Defendants”);

22 WHEREAS, the Court entered an Initial Case Management Scheduling Order on June 3,
 23 2014, which set a Case Management Conference for August 12, 2014 and required the parties to
 24 file a Joint Case Management Statement by August 5, 2014;

25 WHEREAS, Plaintiff filed a First Amended Class Action Complaint on June 9, 2014
 26 before serving either Defendant with the original Class Action Complaint;

27 WHEREAS, Defendants were thereafter served with process and the First Amended Class
 28 Action Complaint, and have sought and obtained extensions of time to respond to the First

1 Amended Class Action Complaint, such that their responses are currently due on August 8, 2014;

2 WHEREAS, Defendants intend to respond to the First Amended Class Action Complaint
3 by moving to stay the action in its entirety and to and compel individual arbitration of Plaintiff's
4 claims pursuant to applicable law including the Federal Arbitration Act, 9 U.S.C. §§ 3, 4, and in
5 the alternative, for dismissal of Plaintiff's claims under Rule 12 of the Federal Rules of Civil
6 Procedure;

7 WHEREAS, the parties believe it would be most efficient to continue the Case
8 Management Conference, and all other deadlines set forth in the Initial Case Management
9 Scheduling Order, pending the hearing on Defendants' forthcoming motions; and

10 WHEREAS, Local Rule 16-2(e) requires Court approval of any stipulation to vary the
11 date of a Case Management Conference,

12 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between
13 all parties, through their undersigned counsel, and subject to the Court's approval, as follows:

14 1. The Case Management Conference currently set for August 12, 2014, will be
15 continued to the hearing date for Defendants' motions in response to the First Amended Class
16 Action Complaint, or such date shortly thereafter as may be selected by the Court, depending on
17 the Court's preference and availability. All other deadlines set forth in the June 3, 2014 Initial
18 Case Management Scheduling Order, including the deadline for the parties to submit a Joint Case
19 Management Statement, are continued accordingly.
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IT IS SO STIPULATED.

Dated: July 18, 2014

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Joseph E. Floren
Joseph E. Floren
Attorneys for Defendant Trilegiant Corporation

Dated: July 18, 2014

HANSON BRIDGETT LLP

By /s/ Gilbert J. Tsai
Gilbert J. Tsai
Attorneys for Defendant Wells Fargo Bank, N.A.

Dated: July 18, 2014

LAW OFFICES OF J. KIRK DONNELLY, APC

By /s/ J. Kirk Donnelly
J. Kirk Donnelly
Attorneys for Plaintiff

ATTESTATION PER LOCAL CIVIL RULE 5-1(i)(3)

I am a signatory to this document and am the person whose ECF user ID and password are being utilized in its electronic filing with the Court. I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories hereto. I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 18th day of July 2014 at San Francisco, California.

/s/ Joseph E. Floren
Joseph E. Floren

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ORDER

PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, THE COURT ORDERS AS FOLLOWS:

~~The Case Management Conference scheduled in this action for August 12, 2014 is continued until a date to be determined by the Court, on or shortly after the hearing date for Defendants' motions in response to the First Amended Class Action Complaint. All other deadlines set forth in the June 3, 2014 Initial Case Management Scheduling Order, including the deadline for the parties to submit a Joint Case Management Statement, are continued accordingly.~~

The case management conference scheduled for August 12, 2014 is continued to September 23, 2014, at 10:00 a.m., with a joint case management statement to be filed by no later than September 16, 2014. Should the parties file any motions prior to the due date of the joint case management statement, they may file a stipulation and proposed order to continue the case management conference to the date and time of the hearing.

IT IS SO ORDERED.

Dated: July 23, 2014



Hon. Vince Chhabria
United States District Judge