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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 GOLDEN WEST FORECLOSURE SERVICE, )	Case No. C-14-2154-WHO
14 INC., a CALIFORNIA CORPORATION, )	
15 )	STIPULATION TO CONTINUE CASE
16 )	MANAGEMENT CONFERENCE
17 )	
18 )	Date: August 5, 2014
19 )	Time: 2:00 p.m.
20 )	
21 )	
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28 )	

19 The parties stipulate as follows:

20 1. Defendant, the United States, removed this case from the Superior Court of California on  
21 May 9, 2014. The case concerns surplus funds received by the plaintiff as a result of a trustee's sale of  
22 real property. Competing claims to the surplus funds were received by plaintiff. As result, plaintiff filed  
23 a Complaint in Interpleader in the Superior Court and deposited funds in the amount of \$208,117.38  
24 with the Clerk of the Superior Court.

25 2. Although the United States received and removed this case, it has not been served and an  
26 Answer to the Complaint is not yet due.

27 3. Aside from the United States (IRS), the complaint also names as parties several other  
28 creditors that may claim an interest to the funds that have been interplead and are the subject of this

1 case.

2 4. Currently, there is a case management conference scheduled for August 5, 2014. The  
3 parties, through the undersigned counsel agree to continue the case management conference until  
4 October 7, 2014, at 2:00 pm. The United States, on behalf of the IRS, may stipulate to remand this case  
5 to the state court. For that reason, the requested continuance will allow the government to evaluate  
6 remanding this case and the delay will relieve the parties of having to file papers in this court, and then  
7 the state court if the case is remanded. Second, the continuance is warranted given that some of the  
8 parties have not yet appeared in the matter and are not required to answer the complaint at this point.

9 5. Regarding the status of service on the defendants, prior to the removal to this court,  
10 Plaintiff sent to all defendants in the case a Notice and Acknowledgment of Receipt in lieu of personal  
11 service. Shortly thereafter, this case was removed to this court. No defendant answered or otherwise  
12 appeared in the Superior Court. In this case, Plaintiff has served all defendants with the Waiver of the  
13 Service of Summons (form AO 399). Two defendants have returned the form. Their respective  
14 responses are due by September 5, 2014. Two defendants have requested to be dismissed from the case,  
15 and a third is considering it. The mail sent to defendant 3066 Market Street, LLC at several different  
16 addresses has been returned as undeliverable. This defendant will need to be personally served.

17 DATED: July 25, 2014

Respectfully submitted,

18 MELINDA HAAG  
19 United States Attorney

20 /s/  
21 THOMAS M. NEWMAN  
22 Assistant United States Attorney  
23 Tax Division

LAW OFFICES OF ROUSE & BAHLERT

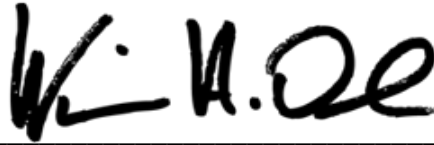
24 DATE: July 25, 2014

25 /s/ Cheryl C. Rouse  
26 By: CHERYL C. ROUSE  
27 Attorney for Plaintiff GOLDEN WEST  
28 FORECLOSURE SERVICE, INC.

ORDER

1  
2 For the reasons stated above, the Court continues the case management conference until October  
3 7, 2014, at 2:00 pm.  
4 IT IS SO ORDERED.

5 DATED: July 30, 2014



THE HONORABLE WILLIAM H. ORRICK  
United States District Judge