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13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**

15 HARJINDER SINGH BRAICH,

Case No. 3:14-cv-04221-RS

16 Plaintiff,

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO CONTINUE HEARING ON
 DEFENDANT PHH MORTGAGE
 CORPORATION’S MOTION TO DISMISS**

17 v.

18 PHH MORTGAGE CORPORATION, a
 19 New Jersey corporation doing business in
 California, and all persons unknown,
 20 claiming any legal or equitable right, title,
 estate, lien, or interest in the property
 21 described in this complaint adverse to
 Plaintiff’s title thereto, and DOES 1
 22 through 30, inclusive,

Removed from the Superior Court for the State
 of California in and for the County of Alameda
 Case No. RG14715378

Removal Filed: 09/18/14
 State Court Action Filed: 02/26/14

23 Defendants.

24 _____ /

25 TO THE COURT, TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

26 This Stipulation is entered into between plaintiff HARJINDER SINGH, an individual
 27 (“Plaintiff”), and defendant PHH MORTGAGE CORPORATION (“Defendant”) (collectively “the
 28 Parties”), by and through their respective attorneys of record as follows:

1 1. WHEREAS, Plaintiff filed a First Amended Complaint on November 4, 2014, as
2 docket number 17;

3 2. WHEREAS, Defendant filed a Motion to Dismiss on November 18, 2014, as docket
4 number 19;

5 3. WHEREAS, Plaintiff's Opposition to the Motion to Dismiss was due on December 2,
6 2014, pursuant to Civil Local Rules 7-3(a) of the United States District Court, Northern District of
7 California;

8 4. WHEREAS, the hearing on Defendant's Motion to Dismiss was initially set for
9 hearing on January 8, 2015, at 1:30 p.m., in Department 3, before the Honorable Richard Seeborg;

10 5. WHEREAS the Parties have agreed and hereby respectfully request that the hearing
11 on the Motion to Dismiss be continued for 30 days to February 5, 2015, at 1:30 p.m., or as soon
12 thereafter as is convenient for the Court;

13 6. WHEREAS, the Parties have agreed and hereby respectfully request that the deadline
14 for Plaintiff to file and serve his Opposition to the Motion to Dismiss is continued for 30 days, or
15 through and including January 2, 2015;

16 7. WHEREAS, this Stipulation will not have any effect on any of the other Court dates
17 or hearings, as the Parties will appear at the Status Conference currently set for December 18, 2014,
18 and provide the initial disclosures on or before December 10, 2014; and

19 8. WHEREAS, the Parties also agree that, should any of the above-referenced proposed
20 dates be inconvenient or unacceptable for any reason, the Court has the discretion to set other dates
21 that are more convenient or acceptable.

22 NOW THEREFORE, the Parties stipulate and respectfully request that the Court enter an
23 order continuing the hearing on Defendant's Motion to Dismiss from January 8 to February 5, 2015,

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27 ///
28 ///

1 or as soon thereafter as is convenient for the Court and continue the deadline for the Plaintiff to file
2 and serve his Opposition from December 2, 2014 to January 2, 2015.

3 IT IS SO STIPULATED

4 Dated: *December 2, 2014*

DAVID M. STERNBERG & ASSOCIATES

/s/ David M. Sternberg

By: _____

DAVID M. STERNBERG, ESQ.

JACOB M. BARLEV, ESQ.

Attorneys for Plaintiff HARJINDER SINGH BRAICH

8 Dated: *December 2, 2014*

GREENBERG TRAUIG, LLP

By: _____

CINDY HAMILTON, ESQ.

Attorneys for Defendant

PHH MORTGAGE CORPORATION

[PROPOSED] ORDER

13 PURSUANT TO STIPULATION between the parties, IT IS SO ORDERED:

- 14 1. The hearing on Defendant's Motion to Dismiss scheduled for January 8, 2015, at 1:30
15 p.m., is continued until February 5, 2015, ~~or as soon thereafter as is convenient for the~~
16 ~~Court.~~
- 17 2. Plaintiff's Opposition is now due on January 2, 2015.
- 18 3. Defendant's Reply is due in accordance with Civil Local Rules 7-3(c) of the United
19 States District Court, Northern District of California.

21 Dated: 12/4/14



JUDGE RICHARD SEEBORG
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA