

1 ANTHONY ALEXIS (DC Bar #384545)
 2 DEBORAH MORRIS (Admitted to the NY Bar)
 3 MICHAEL G. SALEMI (IL Bar # 6279741)
 4 MELANIE HIRSCH (DC Bar #989310)
 5 EDWARD KEEFE (DC Bar #490713)
 6 PATRICK GUSHUE (PA Bar #306966)
 7 JONATHAN URBAN (CO Bar #44190)
 Patrick.Gushue@cfpb.gov
 8 1700 G Street NW
 Washington, DC 20552
 9 Phone: 202-435-7944
 Fax: 202-435-7722
 10 *Attorneys for Plaintiff*
 11 *Consumer Financial Protection Bureau*

12 SEAN E. PONIST (CA SBN 204712)
 13 sponist@ponistlaw.com
 14 GEORGIA Z. SCHNEIDER (CA SBN 251358)
 15 gschneider@ponistlaw.com
 16 LAW OFFICES OF SEAN PONIST, P.C.
 17 100 Pine Street, Suite 1250
 18 San Francisco, California 94111
 19 Telephone: (415) 798-2222
 20 Fax: (888) 350-5442
 21 *Attorneys for Defendants Nationwide Biweekly*
 22 *Administration, Inc., Loan Payment Administration, LLC, and*
 23 *Daniel S. Lipsky and Counter-Claimant Nationwide Biweekly*
 24 *Administration, Inc.*

25 **UNITED STATES DISTRICT COURT**
 26 **NORTHERN DISTRICT OF CALIFORNIA**

27 CONSUMER FINANCIAL PROTECTION
 28 BUREAU,

Plaintiff,

vs.

NATIONWIDE BIWEEKLY
 ADMINISTRATION, INC., LOAN PAYMENT
 ADMINISTRATION LLC, and DANIEL S.
 LIPSKY,

Defendants.

NATIONWIDE BIWEEKLY
 ADMINISTRATION, INC.

Counter-claimant,

vs.

CONSUMER FINANCIAL PROTECTION
 BUREAU,

Counter-defendant.

Case No. 3:15-cv-02106-RS

JOINT STIPULATION AND
[PROPOSED] ORDER SETTING
BRIEFING SCHEDULE AND HEARING
DATE ON PLAINTIFF'S MOTION TO
DISMISS COUNTERCLAIMS AND TO
STRIKE PORTIONS OF THIRD
AMENDED ANSWER

1 Pursuant to Civil L.R. 6-2 and 7-12 and subject to the Court’s approval, Plaintiff Consumer
2 Financial Protection Bureau (“Bureau”) and Defendants and Counter-claimant Nationwide Biweekly
3 Administration, Inc. (“Nationwide”), Loan Payment Administration LLC, and Daniel S. Lipsky
4 (collectively, “Defendants”) state, stipulate, and agree as follows:

5 1. On July 5, 2016, the Bureau moved to dismiss Nationwide’s Counterclaims and to strike
6 portions of Defendants’ Third Amended Answer (“Motions”). Dkt. No. 86. The hearing on the Bureau’s
7 Motions is set for August 4, 2016 at 1:30 p.m. with responses due by July 19, 2016 and replies due by
8 July 26, 2016.

9 2. Due to defense counsel’s trial schedule in another matter, Defendants and Counter-
10 claimant have requested that the Bureau stipulate to moving the hearing date and all deadlines related
11 thereto one week.

12 3. Plaintiff has no objection to this request.

13 4. The parties jointly propose the following briefing schedule and hearing date:

14 a. July 26, 2016: Defendants’ responses to the Motions;

15 b. August 2, 2016: The Bureau’s replies to Defendants’ responses, if any; and

16 c. August 11, 2016, at 1:30 p.m.: Hearing on the Bureau’s Motions.

17 5. This proposed schedule would not otherwise affect the schedule for the case.
18

19 **IT IS SO STIPULATED AND AGREED:**

20
21 Dated: July 14, 2016

22 By: /s/ Patrick Gushue

23 CONSUMER FINANCIAL PROTECTION BUREAU
24 Anthony Alexis, Enforcement Director
25 Deborah Morris, Deputy Enforcement Director
26 Michael G. Salemi, Asst. Litigation Deputy
27 Melanie Hirsch, Enforcement Attorney
28 Edward Keefe, Enforcement Attorney
Patrick Gushue, Enforcement Attorney

*Attorneys for Plaintiff Consumer Financial Protection
Bureau*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By: /s/ Georgia Z. Schneider

LAW OFFICES OF SEAN PONIST, P.C.
Sean E. Ponist
Georgia Z. Schneider

*Attorneys for Defendants Nationwide Biweekly
Administration, Inc., Loan Payment Administration LLC,
and Daniel S. Lipsky and Counter-Claimant Nationwide
Biweekly Administration, Inc.*

ECF ATTESTATION

I Georgia Z. Schneider, am the ECF user whose ID and password are being used to file this document. I attest that concurrence in the filing of this document has been obtained from the signatory.

Dated: July 14, 2016

By: /s/ Georgia Z. Schneider
Georgia Z. Schneider

CERTIFICATE OF SERVICE

On July 14, 2016, I filed the foregoing document with the Court's CM/ECF filing system, which will serve all parties and counsel of record in this case.

By: /s/ Georgia Z. Schneider
Georgia Z. Schneider

1 ~~PROPOSED~~ ORDER

2 PURSUANT TO STIPULATION, IT IS SO ORDERED.

3
4 Dated: 7/18/16



5
6 RICHARD SEEBORG
United States District Judge

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28