

1 SEYFARTH SHAW LLP
 Andrew M. McNaught (SBN 209093)
 2 560 Mission Street, 31st Floor
 San Francisco, California 94105
 3 Telephone: (415) 397-2823
 Facsimile: (415) 397-8549
 4 amcnaught@seyfarth.com

5 Richard L. Alfred (SBN 015000) (pro hac vice)
 Two Seaport Lane, Suite 300
 6 Boston, Massachusetts 02210
 Telephone: (617) 496-4802
 7 Facsimile: (617) 946-4801
 8 ralfred@seyfarth.com

9 Timothy M. Watson (SBN 20963575) (pro hac vice)
 700 Milam Street, Suite 1400
 10 Houston, Texas 77002-2812
 Telephone: (713) 225-2300
 11 Facsimile: (713) 225-2340
 twatson@seyfarth.com

Attorneys for Defendants

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

17 KELLY CARROLL, ANTONIO PONCE, and
 18 CHRYSTIANE LAYOG, Individually and On Behalf
 of All Others Similarly Situated,

19 Plaintiffs,

20 v.

21 WELLS FARGO & COMPANY, and WELLS
 22 FARGO BANK, N.A.,

23 Defendants.

Case No. 3:15-CV-02321 EMC

**STIPULATION AND [PROPOSED]
 ORDER TO ADVANCE HEARING
 DATE AND BRIEFING SCHEDULE
 FOR PLAINTIFFS' MOTION FOR
 CLASS CERTIFICATION
 (Civ. L.R. 6-2; 7-12)**

1 Pursuant to Local Rules 6-2 and 7-12, Defendants Wells Fargo & Co. and Wells Fargo Bank,
2 N.A. (“Defendants” or “Wells Fargo”) and Plaintiffs Kelly Carroll, Antonio Ponce, and Chrystiane
3 Layog (“Plaintiffs”) hereby stipulate to move the hearing date and briefing schedule for Plaintiffs’
4 motion for class certification.

5 On January 19, 2017, the parties attended a case management conference where this Court set
6 the briefing schedule for Plaintiffs’ motion for class certification. Pursuant to this Court’s Order,
7 Plaintiffs will file their motion for class certification on May 25, 2017, Defendants will file their
8 opposition on June 22, 2017, and Plaintiffs will file their reply on July 6, 2017. [Dkt. No. 167]. The
9 Court set the hearing for Plaintiffs’ motion for class certification on July 27, 2017. *Id.*

10 Due to preexisting family travel commitments, lead counsel for Defendants, Richard Alfred, will
11 be unable to attend the hearing on July 27, 2017. [Declaration of Andrew M. McNaught (“McNaught
12 Decl.”), ¶ 3]. In addition, Plaintiffs’ counsel will be unavailable due to preexisting family travel
13 commitments during the month of August. [McNaught Decl., ¶ 3]. Thus, after conferring with
14 Plaintiffs’ counsel and the Court’s clerk, the parties have agreed to stipulate to move the hearing date to
15 July 24, 2017. [*Id.*, ¶¶ 4,5].

16 As a result of the new hearing date, the new briefing schedule will be as follows:

17 Motion for Class Certification to be filed no later than May 22, 2017;

18 Opposition due June 19, 2017;

19 Reply due July 3, 2017;

20 Hearing on July 24, 2017 at 2:30 pm .

21 [*Id.* at ¶ 5].

22 The requested hearing date and briefing schedule will not affect any deadlines set in this case [*Id.*
23 at ¶ 6].

1 DATED: February 6, 2017

Respectfully submitted,

2 WILLS LAW FIRM, PLLC

3
4 By: /s/ Rhonda H. Wills
Rhonda H. Wills

5
6 Counsel for Plaintiffs
KELLY CARROLL, ANTONIO PONCE, and
7 CHRYSTIANE LAYOG, individually and on
8 behalf of others similarly situated

9
10 DATED: February 6, 2017.

SEYFARTH SHAW LLP

11 By: /s/ Andrew M. McNaught
12 Andrew M. McNaught
13 Richard L. Alfred
Timothy M. Watson

14 Attorneys for Defendants
WELLS FARGO & COMPANY and WELLS
15 FARGO BANK, N.A.

ATTESTATION PURSUANT TO LOCAL RULE 5-1(I)(3)

I, Andrew M. McNaught, attest that concurrence in the filing of this stipulation has been obtained from the signatory Rhonda H. Wills, counsel for Plaintiffs.

DATED: February 6, 2017

SEYFARTH SHAW LLP

By: /s/ Andrew M. McNaught
Andrew M. McNaught

Attorneys for Defendants
WELLS FARGO & COMPANY and WELLS
FARGO BANK, N.A.

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

PROPOSED ORDER

On stipulation of the parties and for good cause shown, IT IS SO ORDERED. The hearing for
25
Plaintiffs' motion for class certification is advanced from July 27, 2017 to July 24, 2017 at 2:30 pm, and
the new briefing schedule will be as follows:

Motion for Class Certification to be filed no later than May 22, 2017;

Opposition due June 19, 2017;

Reply due July 3, 2017.

2/7/17

Dated: _____

