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11 Attorneys for Plaintiffs  
 SUSAN K. BLACK, STEVEN C. SMITH  
 12 AND KIMBERLY S. BURGESS

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
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16 SUSAN K. BLACK, an individual; STEVEN )  
 17 C. SMITH, an individual; KIMBERLY S. )  
 BURGESS, an individual,, )  
 18 Plaintiffs, )  
 19 vs. )  
 20 GREATER BAY BANCORP EXECUTIVE )  
 21 SUPPLEMENTAL COMPENSATION )  
 22 BENEFITS PLAN, WELLS FARGO BANK, )  
 a National Association , )  
 23 Defendants. )  
 24 )  
 25 )

Case No. 3:16-cv-00486-EDL  
**JOINT STIPULATION AND**  
~~PROPOSED~~ **ORDER EXTENDING**  
**PLAINTIFFS' DEADLINE TO FILE A**  
**SECOND AMENDED COMPLAINT**

26 Plaintiffs Susan Black, Steven C. Smith, and Kimberly Burgess (“Plaintiffs”) and  
 27 Defendants Greater Bay Bancorp Executive Supplemental Compensation Benefits Plan and  
 28 Wells Fargo Bank, N.A. (“Defendants”) (collectively, the “Parties”) through their undersigned

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1 counsel of record, stipulate to extend Plaintiffs' deadline to file their second amended complaint,  
2 pursuant to the Court's July 25, 2016 Order granting Defendants' Motion to Dismiss with leave  
3 to amend (the "Order") as follows.

4 WHEREAS, on July 25, 2016, the Court ordered that within 21 days of the date of the  
5 Order, "Plaintiffs shall amend their complaint to include: (1) more specific allegations as to the  
6 Plan terms that they believe support their entitlement to an additional true-up; (2) any factual  
7 allegations to support their theory of an alleged structural conflict of interest that influenced  
8 Wells Fargo's benefits determination; (3) a demand for reformation, provided that Plaintiffs have  
9 a good faith basis to amend their §1132(a)(3) claim to seek this remedy; and (4) more specific  
10 allegations regarding Defendants' alleged breach(es) of fiduciary duty and when they occurred;

11 WHEREAS, pursuant to the Order, Plaintiffs' deadline to file their Second Amended  
12 Complaint is August 15, 2016;

13 WHEREAS, Plaintiffs' counsel has moved his residence and has missed a significant  
14 portion of work since the Order was issued;

15 WHEREAS, the Parties have agreed to a two week extension for Plaintiffs to file their  
16 Second Amended Complaint;

17 WHEREAS, the new deadline for Plaintiffs to file their Second Amended Complaint is  
18 August 29, 2016;

19 IT IS HEREBY STIPULATED by and between the Parties hereto, through their  
20 respective attorneys of record, that the deadline by which Plaintiffs must file their Second  
21 Amended Complaint is extended from August 15, 2016 to August 29, 2016.

22 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.  
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Dated: August 12, 2016

MORGAN, LEWIS & BOCKIUS LLP

By /s/ Brandon Brigham  
Jeffrey A. Sturgeon  
(admitted *pro hac vice*)  
Roberta H. Vespremi  
Brandon J. Brigham  
(admitted *pro hac vice*)  
Attorneys for Defendants

GREATER BAY BANCORP EXECUTIVE  
SUPPLEMENTAL COMPENSATION  
BENEFITS PLAN and WELLS FARGO  
BANK, N.A.

Dated: August 12, 2016

BASSI, EDLIN, HUIE & BLUM LLP

By /s/ Fred M. Blum  
Fred M. Blum  
Vivy D. Dang  
Attorneys for Plaintiffs

SUSAN K. BLACK, STEVEN C. SMITH,  
AND KIMBERLY S. BURGESS

Dated: August 12, 2016

RENAKER HASSELMAN LLP

By /s/ Teresa Renaker  
Teresa Renaker  
Margaret Hasselman  
Attorneys for Plaintiffs

SUSAN K. BLACK, STEVEN C. SMITH,  
AND KIMBERLY S. BURGESS

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1 Pursuant to L.R. 5-1(i)(3) regarding signatures, I, Fred M. Blum, attest that concurrence  
2 in the filing of this document has been obtained from each of the other signatories. I declare  
3 under penalty of perjury under the laws of the United States of America that the foregoing is true  
4 and correct. Executed this 12th day of August, 2016.

5  
6 Dated: August 12, 2016

*/s/ Fred M. Blum*

Fred M. Blum

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9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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12 Dated: August 15, 2016

13 By:

*Elizabeth D. Laporte*

Honorable Elizabeth Laporte  
United States Magistrate Judge

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