

1 Lawrence J. Dreyfuss, Bar No. 76277  
 2 Bruce W. Dannemeyer, Bar No. 107243  
 3 THE DREYFUSS FIRM  
 4 A Professional Law Corporation  
 5 2 Venture, Suite 450  
 6 Irvine, California 92618  
 7 Telephone (949) 727-0977; Facsimile (949) 450-0668

8 Attorneys for Defendant T.D. Service Financial Corporation

9 UNITED STATES DISTRICT OF COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11	SCOTT FITZGERALD, an individual,	)	Case No.: 3:16-cv-01473-MEJ
12		)	
13	Plaintiffs,	)	
14	vs.	)	
15		)	STIPULATION TO CONTINUE HEARINGS
16	BOSCO CREDIT, LLC, a business entity;	)	ON MOTIONS TO DISMISS FIRST
17	FRANKLIN CREDIT MANAGEMENT	)	AMENDED COMPLAINT; ORDER
18	CORP., a business entity; T.D. SERVICE	)	
19	FINANCIAL CORPORATION, business	)	Current Date: June 30, 2016
20	entity; and DOES 1 through 50, inclusive	)	
21		)	Proposed Date: July 14, 2016
22	Defendants	)	Time: 10:00 a.m.
23		)	Ctrm: B

24           The motion by T.D. Service Company to dismiss plaintiff's First Amended Complaint  
 25 was scheduled for June 16, 2016. On May 20, 2016 the court continued that hearing to June 30,  
 26 2016 so that it would be heard concurrently with the motion to dismiss filed by defendants  
 27 Franklin Credit management Corp. and Bosco Credit LLC. However, Lawrence Dreyfuss,  
 28 counsel for T.D. Service Company has a prepaid vacation scheduled for June 26 through July 10,  
 2016 so he is unavailable on June 30. The attorneys in this matter have conferred and have  
 agreed to postpone the hearings, subject to court approval, to July 14, 2016, when all three  
 attorneys are currently available.

1 It is therefore hereby stipulated by all counsel of record that the hearings on the motions  
2 to dismiss plaintiff's First Amended Complaint be continued to July 14, 2016 at 10:00 a.m. in  
3 Courtroom B of the United States District Court for the Northern District of California.

4  
5 DATED: May 25, 2016

MELLEN LAW FIRM

6 By:           /s/Jessica Galleta          

7 Jessica Galleta  
8 Attorneys for Plaintiff  
9 Scott Fitzgerald

10 DATED: May 25, 2016

THE WOLF FIRM

11 By:           /s/Abe G. Salen          

12 Abe G. Salen  
13 Attorneys for Defendants  
14 Frankline Credit Management Corp. and  
15 Bosco Credit, LLC

16 DATED: May 25, 2016

THE DREYFUSS FIRM  
A Professional Law Corporation

17 By:           /s/Lawrence J. Dreyfuss          

18 Lawrence J. Dreyfuss  
19 Attorneys for Defendant  
20 T.D. Service Company

21 GOOD CAUSE APPEARING THEREFOR,

22 IT IS HEREBY ORDERED that the hearings on the motions by T.D. Service Company  
23 and by Franklin Credit Management Corp. and Bosco Credit, LLC to dismiss plaintiff's First  
24 Amended Complaint are hereby continued to July 14, 2016 at 10:00 a.m. in Courtroom B of the  
25 United States District Court for the Northern District of California. Briefing deadlines are again  
26 unaffected.

27 Dated:     May 25, 2016    

28   
\_\_\_\_\_  
MARIA-ELENA JAMES  
UNITED STATES MAGISTRATE JUDGE

1 PROOF OF SERVICE  
2 (CCP Section 1013a(3))

3 I am over the age of 18, and I am not a party to the within action. I am employed by THE  
4 DREYFUSS FIRM. PLC, in the County of Orange, at 2 Venture, Suite 450, Irvine, CA 92618.

5 On May 25, 2016, I served the attached: **STIPULATION TO CONTINUE HEARINGS ON**  
6 **MOTIONS TO DISMISS FIRST AMENDED COMPLAINT; ORDER THEREON** on the interested  
7 parties in this action by placing true copies thereof in sealed envelopes, addressed as follows:

8 **Jessica Galleta**  
9 **Mellen Law Firm**  
10 **411 Borel Avenue, Suite 230**  
11 **San Mateo, CA 94402**  
12 **Tel: (650) 638-0120**

**Attorneys for Plaintiff**

13 **Abe G. Salen**  
14 **The Wolf Firm**  
15 **2955 Main Street, Second Floor**  
16 **Irvine, CA 92614**  
17 **Tel: (949) 720-9200**

**Attorneys for Defendant Franklin Credit  
Management Corp. and Bosco Credit, LLC**

18 [ ] **(By Mail)** I placed said envelopes for collection and mailing, following ordinary business  
19 practices, at the business offices of THE DREYFUSS FIRM, PLC at the address set forth above, for  
20 deposit in the United States Postal Service. I am readily familiar with the practice of THE DREYFUSS  
21 FIRM, PLC for collection and processing of correspondence for mailing with the United States Postal  
22 Service, and said envelopes will be deposited with the United States Postal Service on said date in the  
23 ordinary course of business. I am aware that on motion of the party served, service is presumed invalid  
24 if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in  
25 affidavit.

26 [ X ] **(CM/ECF System)** Pursuant to Local Rule, I electronically filed the documents with the  
27 Clerk of the Court using the CM/ECF Systems, which sent notification of that filing to the person(s)  
28 listed above.

I declare that I am employed in the office of a member of the Bar of this Court at whose  
direction the service was made. I declare, under penalty of perjury under the laws of the United States  
of America and the State of California, that the above is true and correct.

Executed on May 25, 2016, at Irvine, California.

*/s/ Laura Clawson*  
\_\_\_\_\_  
Laura Clawson

1040-3064