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**BURSOR & FISHER, P.A.**

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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FORTUNATO LOPEZ JUAREZ, on Behalf of  
Himself and all Others Similarly Situated,

Plaintiff,

v.

CITIBANK, N.A.,

Defendant.

Case No. 16-cv-01984-WHO

**STIPULATION AND ORDER SETTING  
BRIEFING SCHEDULE FOR  
DEFENDANT'S MOTION TO DISMISS  
AND MOTION TO STRIKE**

1 Plaintiff Fortunato Lopez Juarez (“Plaintiff”) and Defendant Citibank, N.A. (“Citibank”), by  
2 and through their respective counsel of record, hereby stipulate as follows:

3 WHEREAS, on or about May 9, 2016, Plaintiff agreed to give Citibank an extension of the  
4 time to respond to Plaintiff’s complaint.

5 WHEREAS, on or about May 27, 2016, Plaintiff agreed to give Citibank a second extension  
6 of the time to respond to Plaintiff’s complaint.

7 WHEREAS, on June 7, 2016, Defendant filed a Motion to Dismiss and Motion to Strike  
8 Plaintiff’s complaint.

9 WHEREAS, Plaintiff’s deadline to respond to Defendant’s Motion to Dismiss and Motion to  
10 Strike is currently June 21, 2016, and Defendant’s deadline to file a reply in support of its Motions  
11 is currently June 28, 2016.

12 WHEREAS, the hearing on Defendant’s motions is currently August 10, 2016, at 2:00 p.m.

13 WHEREAS, since Defendant filed its Motions on June 7, 2016, lead counsel for Plaintiff has  
14 been traveling for depositions and hearings in other cases and will not be back in the office until  
15 June 22, 2016.

16 WHEREAS, the parties have agreed to the following briefing schedule for Defendant’s  
17 Motions to allow both parties sufficient time to prepare their papers:

- 18 • The deadline for Plaintiff to file his response to Defendants motions should be July 8,  
19 2016.
- 20 • The deadline for Defendant to file its reply in support of its motions should be July  
21 22, 2016.
- 22 • The hearing on Defendants motions should be on August 31, 2016 at 2:00 p.m., or on  
23 such other date that is convenient for the Court.

1 WHEREAS, this Stipulation is made in good faith and not for purposes of delay.

2  
3 Dated: June 15, 2016

Respectfully submitted,

4 **BURSOR & FISHER, P.A.**

5 By: /s/ Annick M. Persinger  
6 Annick M. Persinger

7 L. Timothy Fisher (State Bar No. 191626)  
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23 *Attorneys for Plaintiff*

24  
25 Dated: June 15, 2016

Respectfully submitted,

26 By: /s/ Marcos D. Sassos  
27 Marcos D. Sassos

28 STROOCK & STROOCK & LAVAN LLP  
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**ECF Signature Certification**

Pursuant to Civil L.R. 5-1(i)(3), I hereby certify that the content of this document is acceptable to Marcos Sassos, counsel for Defendant, and that I have obtained Mr. Sassos’s authorization to affix his electronic signature to this document.

Dated: June 15, 2016

/s/ Annick M Persinger  
Annick M. Persinger


ORDER

Pursuant to the stipulation of the parties, the Court orders the following:

- The deadline for Plaintiff to file his response to Defendant's motions shall be July 8, 2016.
- The deadline for Defendant to file its reply in support of its motions shall be July 22, 2016.
- The hearing on Defendant's motions shall be on August 17, 2016 at 2:00 p.m.

IT IS SO ORDERED.

DATED: June 16, 2016

  
HONORABLE WILLIAM H. ORRICK  
United States District Judge