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9
10 **UNITED STATE DISTRICT COURT**
11
12 **NORTHERN DISTRICT OF CALIFORNIA**

13 DAVID FERNANDEZ, an individual and
14 borrower,

15 Plaintiff,

16 vs.

17 FRANKLIN CREDIT MANAGEMENT
18 CORPORATION, a business entity; and DOES
19 1 through 10 inclusive,

20 Defendants.

Case No: 3:16-cv-02837-JCS

Assigned to the Honorable:

Joseph C. Spero

21 **SECOND STIPULATION**
22 **EXTENDING DEADLINE TO FILE**
23 **DEFENDANT'S RESPONSIVE**
24 **PLEADING TO PLAINTIFF'S**
25 **COMPLAINT**

Pursuant to Civil L.R. 6-1

26 **TO THE HONORABLE COURT AND ALL ATTORNEYS OF RECORD:**

27 **PLEASE TAKE NOTICE** that Plaintiff DAVID FERNANDEZ ("Plaintiff"), and
28 Defendant FRANKLIN CREDIT MANAGEMENT CORPORATION ("Defendant"), by and
through their respective counsel of record, do hereby stipulate and agree as follows:

1. This matter was removed to the above Court on May 26, 2016.

2. Defendant's response to Plaintiff's Complaint was initially due on June 2, 2016.

However, Plaintiff and Defendant entered into a stipulation extending Defendant's deadline to respond to the Complaint to July 1, 2016. On June 2, 2016, the Court approved this first stipulation.

3. On June 2, 2016, the Court referred this case to the ADR Unit for the purpose of determining whether a loan modification would be a feasible resolution to the matter.

4. On June 15, 2016 and June 27, 2016, two telephone conferences were held with the ADR Unit whereby Defendant agreed to accept and review Plaintiff's application for a loan modification.

5. On June 28, 2016, Defendant conveyed an offer to place Plaintiff on a trial loan modification. Plaintiff has until July 28, 2016 to accept the offer. Plaintiff is currently reviewing the offer.

6. A further telephone conference with the ADR Unit has been set for July 27, 2016 to monitor the progress of the loan modification review.

7. The Parties require additional time to complete the loan modification review, and would like to do so while limiting fees and costs incurred in litigation at this stage.

8. Accordingly, Plaintiff and Defendant agree that Defendant's deadline to respond to Plaintiff's Complaint shall be extended from July 1, 2016 to **August 1, 2016**.

Respectfully submitted,

WRIGHT, FINLAY & ZAK, LLP

Dated: June 29, 2016

By: s/ Joshua R. Hernandez, Esq.

Joshua R. Hernandez, Esq.

Attorneys for Defendant, FRANKLIN

CREDIT MANAGEMENT

CORPORATION

REAL ESTATE LAW CENTER, PC

Dated: June 29, 2016

By: s/ Tala Rezai, Esq.

Tala Rezai, Esq.

Attorneys for Plaintiff, DAVID
FERNANDEZ

Dated: July 11, 2016

