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6 Attorneys for Defendants
Select Portfolio Servicing, Inc. (erroneously sued as
7 Specialized Portfolio Servicing, Inc.) and National
Default Servicing Corporation
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 EVELYN NAND, an individual;
SUKHANDRA NAND, an individual

13 Plaintiffs,

14 v.

15 SPECIALIZED PORTFOLIO SERVICING,
INC., a business entity; NATIONAL
16 DEFAULT SERVICING CORPORATION, a
business entity; and DOES 1 through 50,
17 inclusive

18 Defendants.
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Case No. 3:16-cv-04030-EMC

**FURTHER STIPULATION TO
CONTINUE HEARING DATES AND
BRIEFING SCHEDULES ON
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION AND
DEFENDANTS' MOTION TO
DISMISS; [PROPOSED] ORDER**

Complaint Filed: July 18, 2016

1 **TO THE COURT, ALL PARTIES, AND TO THEIR ATTORNEYS OF RECORD:**

2 Plaintiffs Evelyn Nand and Sukhandra Nand (collectively "Plaintiffs") and Defendants
3 Select Portfolio Servicing, Inc. (erroneously sued as Specialized Portfolio Servicing, Inc.)
4 ("SPS") and National Default Servicing Corporation ("NDSC," collectively "Defendants"), by
5 and through their counsel of record, hereby respectfully submit this further stipulated request to
6 continue the currently scheduled hearing dates and briefing schedules on Plaintiffs' motion for a
7 preliminary injunction and Defendants' motion to dismiss, both currently scheduled for
8 December 15, 2016. This request is being made to provide the parties with additional time to
9 determine if their dispute can be resolved informally.

10 Pursuant to this stipulation, the Parties respectfully request that the December 15, 2016
11 hearings on Plaintiffs' Motion for Preliminary Injunction and Defendants' Motion to Dismiss be
12 continued to January 19, 2017 or to another date convenient to the Court's schedule. The Parties
13 also request that the Court continue the briefing dates as follows:

- 14 • January 5, 2017– the parties' deadlines to submit their respective responsive briefs
15 to the pending motions; and
- 16 • January 12, 2017 – the parties' deadlines to submit their respective reply briefs in
17 support of their pending motions;

18 The Parties also agree that the restraining order issued by the Court will remain in effect
19 until the Court rules on Plaintiffs' motion for a preliminary injunction.

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1 Plaintiffs and Defendants so stipulate.

2 DATED: November 29, 2016

STOEL RIVES LLP

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By: /s/ Bryan L. Hawkins
THOMAS A. WOODS
BRYAN L. HAWKINS
Attorneys for Defendants
Select Portfolio Servicing, Inc.
(erroneously sued as Specialized Portfolio
Servicing, Inc.) and National Default
Servicing Corporation

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9 DATED: November 29, 2016

MELLEN LAW FIRM

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By: /s/ Jessica Galletta
MATTHEW D. MELLEN
JESSICA GALLETTA
Attorneys for Plaintiffs
EVELYN NAND and SUKHANDRA
NAND

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ATTESTATION OF SIGNATURE:

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I attest under penalty of perjury under the laws of the United States of America that I have
received the concurrence in the filing of this document from the listed signatories as
required by Local Rule 5.1(i)(3).

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Dated: November 29, 2016

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/s/ Bryan L. Hawkins
BRYAN L. HAWKINS

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ORDER

This matter comes before the Court on Plaintiffs Evelyn Nand and Sukhandra Nand's (collectively "Plaintiffs") and Defendants Select Portfolio Servicing, Inc. (erroneously sued as Specialized Portfolio Servicing, Inc.) ("SPS") and National Default Servicing Corporation's stipulated request to continue the currently scheduled hearings and briefing schedules on Plaintiffs' motion for a preliminary injunction and Defendants' motion to dismiss. After considering the Parties' stipulation and finding good cause, the Court GRANTS the Parties' stipulated request.

The December 15, 2016 hearing on Plaintiffs' motion for a preliminary injunction is continued to January ²⁶19, 2017. Defendants shall submit their opposition to Plaintiffs' motion by no later than January 5, 2017. Plaintiffs shall submit their reply brief in support of the motion by no later than January 12, 2017.

²⁶ The December 15, 2016 hearing on Defendants' motion to dismiss is continued to January 19, 2017. Plaintiffs shall submit their opposition to Defendants' motion by no later than January 5, 2017. Defendants shall submit their reply brief in support of the motion by no later than January 12, 2017. The CMC is reset from December 15, 2016 to January 26, 2017 at 1:30 p.m. Joint CMC statement due January 19, 2017.

IT IS SO ORDERED

DATED: 11/29/2016

