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5 Attorneys for Plaintiffs,  
 ENAYATOLLAH NADAF-RAHROV  
 6 FOROUGH NADAF-RAHROV

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 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 ENAYATOLLAH NADAF-RAHROV, an  
 individual; and FOROUGH NADAF-  
 11 RAHROV, an individual,

12 Plaintiffs,

13 v.

14 SHELLPOINT MORTGAGE SERVICING, a  
 business entity; BANK OF NEW YORK  
 15 MELLON, a national association; and Does 1  
 through 100, inclusive;

16 Defendants.  
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Case No. 3:16-cv-06323-RS

**STIPULATION TO CONTINUE  
 HEARING DATE AND BRIEFING  
 SCHEDULES ON DEFENDANTS'  
 MOTION TO DISMISS; ~~PROPOSED~~  
 ORDER**

Complaint Filed: November 1, 2016

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

2           Plaintiffs Enayatollah Nadaf-Rahrov and Forough Nadaf-Rahrov (collectively "Plaintiffs")  
3 and Defendants Shellpoint Mortgage Servicing and Bank of New York Mellon. ("Defendants")  
4 by and through their counsel of record, hereby respectfully submit this stipulated request to  
5 continue the currently scheduled hearing date and briefing schedule associated with Defendants'  
6 Motion to Dismiss, currently scheduled for March 16, 2017.

7           On November 1, 2016, Plaintiffs filed this action. ECF No. 1. Simultaneously with this  
8 filing, Plaintiffs filed an *ex parte* application for a temporary restraining order restraining the  
9 foreclosure sale of the relevant property. ECF No. 4.

10           On January 30, 2017, Defendants filed a Motion to Dismiss Plaintiffs' Complaint. The  
11 following briefing schedule is associated with the Motion to Dismiss:

- 12           • February 13, 2017 - Plaintiffs' deadline to submit their responses to Defendants'  
13           motion; and
- 14           • February 21, 2017 - Defendants' deadline to submit their reply brief in support of  
15           their motion.

16           Defendants' Motion to Dismiss is scheduled for hearing on March 16, 2017. ECF. 30.

17           The Mellen Law Firm has just learned that Plaintiffs seek to substitute in new  
18 representation for this action. Thus, given the foregoing, and in order to allow Plaintiffs the time  
19 necessary to obtain and substitute in new counsel, the Parties' counsel stipulate and agree to a  
20 continue the hearing and briefing schedule associated with Defendants' Motion to Dismiss as set  
21 forth below:

- 22           • March 15, 2017 - Plaintiffs' deadline to submit their responses to Defendants'  
23           motion;
- 24           • March 22, 2017 - Defendants' deadline to submit their reply brief in support of  
25           their motion; and
- 26           • April 20, 2017 at 1:30 pm. – hearing on Defendants' Motion to Dismiss.

27           This stipulation is not being made for the purpose of delay or any other improper reason.  
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1 Plaintiffs and Defendants so stipulate.

2 DATED: February 9, 2017

WRIGHT FINLAY & ZAK

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4 By: /s/ Ronald Arlas  
RONALD ARLAS  
Attorneys for Defendants  
SHELLPOINT MORTGAGE  
SERVICING and BANK OF NEW YORK  
MELLON

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10 DATED: February 9, 2017

MELLEN LAW FIRM

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12 By: /s/ Jessica Galletta  
MATTHEW D. MELLEN  
JESSICA GALLETTA  
Attorneys for Plaintiffs  
ENAYATOLLAH NADAF-RAHROV and  
FOROUGH NADAF-RAHROV

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ATTESTATION OF SIGNATURE:

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

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Dated: February 9, 2017

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/s/ Jessica Galletta  
JESSICA GALLETTA

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**ORDER**

The Court, having reviewed the Parties’ stipulation and finding good cause to issue an Order thereon, hereby grants the Parties stipulation and orders the following briefing schedule with regard to Defendants’ Motion to Dismiss:

- March 15, 2017 - Plaintiffs’ deadline to submit their responses to Defendants’ motion;
- March 22, 2017 - Defendants’ deadline to submit their reply brief in support of their motion; and
- April 20, 2017 at 1:30 pm. – hearing on Defendants’ Motion to Dismiss.

**IT IS SO ORDERED**

DATED: 2/10/17

  
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HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE