

1 Robert W. Biederman (State Bar No. 177321)  
 Jeffrey H. Lowenthal (State Bar No. 111763)  
 2 Robert W. Biederman (State Bar No. 177321)  
 STEYER LOWENTHAL BOODROOKAS  
 3 ALVAREZ & SMITH LLP  
 One California Street, Third Floor  
 4 San Francisco, California 94111  
 Telephone: (415) 421-3400  
 5 Facsimile: (415) 421-2234  
 E-mail: jlowenthal@steyerlaw.com  
 6 rbiederman@steyerlaw.com

7 John C. Steele (State Bar No. 179875)  
 Tanya C. McCullah (State Bar No. 279614)  
 8 ZIEVE, BRODNAX & STEELE, LLP  
 30 Corporate Park, Suite 450  
 9 Irvine, CA 92606  
 Telephone: (714)848-7920  
 10 Facsimile: (714) 908-2615  
 Email: jsteele@zbslaw.com  
 11 tmccullah@zbslaw.com

12 Attorneys for Defendants  
 Bank of New York Mellon, as Trustee for Certificate-Holders  
 13 of the CWALT, Inc. Alternative Loan Trust 2007-HY4  
 Mortgage Pass-Through Certificates Series 2007-HY4 and  
 14 Bayview Loan Servicing, LLC

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA  
 17 OAKLAND DIVISION

18 JANECE FIELDS, as Trustee of the  
 JANECE FIELDS REVOCABLE  
 19 LIVING TRUST,  
 20 Plaintiff,  
 21 v.  
 22 BANK OF NEW YORK MELLON, AS  
 TRUSTEE FOR CERTIFICATE-  
 23 HOLDERS OF THE C-WALT, INC.  
 ALTERNATIVE LOAN TRUST 2007-  
 24 HY4 MORTGAGE PASS-THROUGH  
 CERTIFICATES SERIES 2007-HY4;  
 25 BAYVIEW LOAN SERVICING, LLC;  
 ZIEVE, BRODNAX & STEELE, LLP;  
 DOES 1-10,  
 26 Defendants.

Case No. 3-17-cv-00272-JST  
 Hon. Jon S. Tigar

**STIPULATION AND ~~PROPOSED~~ ORDER  
 EXTENDING TIME TO FILE RESPONSE TO  
 MOTION TO DISMISS AND REPLY IN  
 SUPPORT OF MOTION TO DISMISS**

Date: March 16, 2017  
 Time: 2:00 p.m.  
 Ctrm: Ralph Burton Federal Building, Courtroom  
 9, 19<sup>th</sup> Floor  
 Address: 450 Golden Gate Avenue, San Francisco,  
 CA 94102

1 Pursuant to Local Rules 6-2 and 7-12, plaintiff Janeece Fields, as trustee of the Janeece  
2 Fields Revocable Trust (“plaintiff”) and defendants Bank of New York Mellon, as Trustee for  
3 Certificate-Holders of the CWALT, Inc. Alternative Loan Trust 2007-HY4 Mortgage Pass-  
4 Through Certificates Series 2007-HY4 and Bayview Loan Servicing, LLC (defendants”) (plaintiff  
5 and defendants shall be referred to as the “parties”) stipulate as follows:  
6

7 **STIPULATION**

8 1. On January 26, 2017, defendants filed a motion to dismiss for failure to state a  
9 claim upon which relief can be granted. Pursuant to Local Rule 7.3(a), plaintiff’s opposition is  
10 due on February 9, 2017 and defendants’ reply is due on February 16, 2017. A hearing on the  
11 motion to dismiss has been scheduled on March 16, 2017.


12 2. Based upon the issues raised in the motion to dismiss, plaintiff requested a one  
13 week extension to February 16, 2017 to file an opposition, and offered defendants a like extension  
14 to March 2, 2017 to file a reply.

15 3. There have been no previous extensions in this case.

16 4. Because the hearing on the motion to dismiss is now scheduled on March 16, 2017,  
17 the parties are informed and believe that the extensions will not impose an undue burden on the  
18 Court.  
19

20 5. Based upon the above, the parties stipulate that plaintiff shall have until February  
21 16, 2017 to file an opposition to the motion to dismiss, and defendants shall have until March 2,  
22 2017 to file a reply.  
23

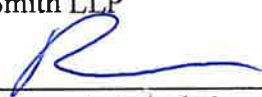
24 Janeece Fields, as Trustee of the  
25 Janeece Fields Revocable Trust,  
26 Plaintiff

27   
Janeece Fields

28 2/3/2017

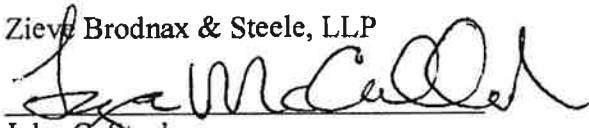
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Steyer Lowenthal Boodrookas Alvarez  
& Smith LLP



Jeffrey H. Lowenthal  
Robert W. Biederman  
Attorneys for Defendants

Zieve Brodnax & Steele, LLP



John C. Steele  
Tanya C. McCullah  
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: February 6, 2017

  
The Honorable Jon S. Tigar  
United States District Judge