

1 ANDREW SOUKUP (admitted *pro hac vice*)
 2 COVINGTON & BURLING LLP
 3 One CityCenter
 4 850 Tenth Street, NW
 5 Washington, DC 20001
 6 Telephone: + 1 (202) 662-6000
 7 Facsimile: + 1 (202) 778-5066
 8 Email: asoukup@cov.com

9 MEGAN L. RODGERS (SBN 310344)
 10 COVINGTON & BURLING LLP
 11 333 Twin Dolphin Drive, Suite 700
 12 Redwood Shores, CA 94065
 13 Telephone: + 1 (650) 632-4734
 14 Facsimile: + 1 (650) 632-4834
 15 Email: mrodgers@cov.com

16 LINDSEY BARNHART (SBN 294995)
 17 COVINGTON & BURLING LLP
 18 One Front Street, Suite 3500
 19 San Francisco, CA 94111
 20 Telephone: +1 415-591-6000
 21 Facsimile: +1 415-591-6091
 22 Email: lbarnhart@cov.com

23 *Attorneys for Defendants Chase Bank USA, N.A.*
 24 *and JPMorgan Chase Bank, N.A.,*
 25 *erroneously sued as JPMorgan Chase Bank*

26 *[Additional counsel on signature page]*

27 **UNITED STATES DISTRICT COURT**
 28 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

KRISTEN MUEHLENBERG,

Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS, INC.;
 JPMORGAN CHASE BANK,

Defendants.

Civil Case No.: 3:17-cv-00392-WHO

**JOINT STIPULATION AND
 ORDER TO CONTINUE
 HEARING ON CHASE'S MOTION TO
 DISMISS**

Original Hearing Date: November 22, 2017
 New Hearing Date: December 6, 2017

1 Plaintiff Kristen Muehlenberg (“Plaintiff”) and defendants Chase Bank USA, N.A. and
2 JPMorgan Chase Bank, N.A., erroneously sued as JPMorgan Chase Bank (collectively, “Chase”)
3 respectfully submit the following stipulation to continue the hearing date on Chase’s motion to dismiss
4 pursuant to Civil L.R. 7-7 and 6-1.

5 1. On October 2, 2017, Chase filed a motion to dismiss Plaintiff’s second amended
6 complaint and noticed a hearing date of November 15, 2017. Dkt. No. 41. Plaintiff filed an opposition
7 brief on October 16, 2017, Dkt. No. 42, and Chase filed a reply brief on October 23, 2017, Dkt. No. 45.

8 2. On November 8, 2017, the Court ordered the parties to submit supplemental briefing on
9 the issue of whether the Court may consider Plaintiff’s credit reports when resolving the motion to
10 dismiss. Dkt. No. 51. In that same order, the Court continued the hearing on the motion to dismiss to
11 November 22, 2017. *Id.*

12 3. Chase’s lead counsel has a conflict and is unable to attend the hearing on November 22,
13 2017. Declaration of Andrew Soukup in Support of Joint Stipulation and [Proposed] Order to Continue
14 Hearing on Chase’s Motion to Dismiss ¶ 4.

15 4. Pursuant to Civil L.R. 7-7 and 6-1, all parties agree that the hearing shall be continued
16 until December 6, 2017 at 2:00 p.m., subject to the Court’s availability.

17 5. The parties have not previously stipulated to continue the hearing date.

18 6. This stipulation will not alter the date of any other event or deadline already fixed by
19 Court order.

20 IT IS SO STIPULATED.

21 November 9, 2017

COVINGTON & BURLING LLP

22
23 By: /s/ Megan L. Rodgers
24 Megan L. Rodgers
Andrew Soukup
Lindsey Barnhart

25 *Attorneys for Defendants Chase Bank*
26 *USA, N.A. and JPMorgan Chase Bank,*
27 *N.A., erroneously sued as JPMorgan*
28 *Chase Bank*

1 November 9, 2017

SAGARIA LAW P.C.

2
3 By: /s/ Elliot W. Gale
Elliot W. Gale

4 *Attorneys for Plaintiff Kristen*
5 *Muehlenberg*

6 **ATTESTATION**

7 I, Megan L. Rodgers, hereby attest, pursuant to N.D. Cal. Civil L.R. 5-1, that the concurrence to
8 the filing of this document has been obtained from each signatory hereto.

9 DATED: November 9, 2017

10 By: /s/ Megan L. Rodgers
Megan L. Rodgers

11
12 **~~PROPOSED~~ ORDER**

13 Pursuant to stipulation, and good cause having been shown, IT IS HEREBY ORDERED that the
14 hearing on Chase's motion to dismiss Plaintiff's second amended complaint is continued to December 6,
15 2017 at 2:00 p.m.

16
17 Dated: November 13, 2017

18 
19 _____
20 Hon. William H. Orrick III
21 United States District Judge