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8 Attorneys for Defendant TD Bank USA, National Association

Date: April 13, 2017

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN FRANCISCO DIVISION**

12 Lacy Rose,

13 Plaintiff,

14 vs.

15 Equifax, Inc.; TransUnion, LLC; Avant, Inc.;
 16 First Data Merchant Services, LLC; TD Bank
 17 USA, National Association and Does 1 through
 18 100,

19 Defendants.

Case No. 3:17-cv-00419-MMC

**STIPULATION TO EXTEND TIME FOR
 DEFENDANT TD BANK USA, NATIONAL
 ASSOCIATION TO RESPOND TO
 PLAINTIFF'S AMENDED COMPLAINT**

Complaint Filed: January 26, 2017

20 Pursuant to Local Rules 6-1(a) and 6-2, Defendant TD Bank USA, National Association
 21 ("TD Bank") and Plaintiff Lacy Rose ("Plaintiff"), by and through their undersigned counsel of
 22 record, stipulate and agree as follows:

23 **WHEREAS**, on January 26, 2017, Plaintiff filed her initial complaint [Dkt. 1];

24 **WHEREAS**, TD Bank filed a Motion to Dismiss the Initial Complaint on March 17, 2017
 25 [Dkt. 28];

26 **WHEREAS**, on April 7, 2017, Plaintiff filed and served an Amended Complaint [Dkt. 35].
 27 Pursuant to F.R.C.P. 15(a)(3), TD Bank is to answer or otherwise respond to the Amended
 28 Complaint on or before April 21, 2017;

WHEREAS, to permit TD Bank sufficient time to evaluate the claims in the Amended
 Complaint and prepare an appropriate responsive pleading or motion, and for the parties to discuss a

1 potential early resolution of the case, the parties have agreed to a forty-five day extension for TD
2 Bank to answer or otherwise respond to the amended complaint up to and including June 5, 2017.
3 The parties have been in the process of exchanging informal discovery. This extension will not
4 affect any pending court dates or deadlines, nor will it prejudice any party herein. The Initial Case
5 Management Conference is set for hearing on June 16, 2017, with the Joint Case Management
6 Statement to be filed on or before June 9, 2017.

7 **IT IS STIPULATED THAT** TD Bank shall have up to and including June 5, 2017 to
8 answer or otherwise respond to Plaintiff's Amended Complaint.

9
10 Dated: April 11, 2017

HINSHAW & CULBERTSON LLP

11
12 By: /s/ Renee Choy Ohlendorf
13 Renee Choy Ohlendorf
14 Attorneys for Defendant TD Bank USA,
National Association

15 Dated: April 11, 2017

SAGARIA LAW, P.C.

16 By: /s/ Elliot Wayne Gale
17 Elliot Wayne Gale
18 Attorneys for Plaintiff Lacy Rose

19 **FILER ATTESTATION**

20 Pursuant to Rule 5-1(i)(3) of the Local Rules of Practice in Civil Proceedings Before the
21 United States District Court for the Northern District of California, I, Renee Choy Ohlendorf, hereby
22 attest that concurrence in the filing of this document has been obtained from each of the other
23 signatories.

24 I declare under penalty of perjury under the laws of the State of California and the United
25 States of America that the foregoing is true and correct.

26
27 s/Renee Choy Ohlendorf
28