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11 **Attorneys for Plaintiff**

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 13 UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN FRANCISCO DIVISION

15 VICTOR MUNIZ, individually and on behalf of all  
 others similarly situated,

16 Plaintiff,

17 v.

18 WELLS FARGO & COMPANY, WELLS FARGO  
 19 BANK, N.A., and WELLS FARGO HOME  
 20 MORTGAGE,

21 Defendants.

No. 3:17-cv-04995-MMC

22 **STIPULATED ADMINISTRATIVE  
 MOTION AND ~~PROPOSED~~ ORDER  
 23 VACATING CONSOLIDATION ORDER,  
 CONTINUING HEARING, AND SETTING  
 24 DEADLINE FOR AMENDED  
 25 COMPLAINT**

Judge: Maxine M. Chesney

26 **I. INTRODUCTION**

27 Pursuant to Civil L.R. 7-11 and Fed. R. Civ. P. 15(A)(2), and following the voluntary dismissal  
 28 of Brach v. Wells Fargo & Co. et al., No. 17-cv-05990 (N.D. Cal.), Plaintiff Victor Muniz; Defendants  
 Wells Fargo & Co., Wells Fargo Bank, N.A., and Wells Fargo Home Mortgage (collectively,  
 “Defendants” or “Wells Fargo”) stipulate to this administrative motion seeking the following relief:

- vacating this Court’s prior order, Dkt. 45, consolidating this action with Brach v. Wells Fargo & Co. et al., No. 17-cv-05990 (N.D. Cal.);
- continuing the December 8, 2017 hearing on Plaintiffs’ Motion for Appointment of Interim Class Counsel, Dkt. 26, to January 12, 2018, to coincide with the Case Management Conference in this matter scheduled for that date; and
- permitting Plaintiff Muniz to file an Amended Complaint in this matter by December 18, 2017, and for the Parties to adhere to the previously-agreed to briefing schedule for an amended complaint. See Dkt. 45 (consolidation and briefing schedule order).

## II. RELEVANT PROCEDURAL BACKGROUND

On August 28, 2017, Plaintiff Victor Muniz, individually and on behalf of all others similarly situated, filed the complaint in this matter alleging claims arising out of Wells Fargo’s mortgage interest rate lock extension fee practices. Dkt. 1. On October 5, 2017, Plaintiff Muniz moved this Court to appoint Keller Rohrback L.L.P. as interim lead counsel under Fed. R. Civ. P. 23(g). Dkt. 26.

On October 19, 2017, plaintiff Brian Brach filed Brach v. Wells Fargo & Co. et al., No. 17-cv-05990 (N.D. Cal.), which the parties agreed met the requirements for related cases under Civil Local Rule 3-12. This Court related those cases on November 6, 2017, Dkt. 41, and consolidated them on November 15, 2017, setting a deadline of December 18, 2017 for a Consolidated Amended Complaint and deadlines for responsive pleading and briefing. Dkt. 45. Following the filing of Brach, Plaintiff Muniz revised his interim lead counsel motion to seek appointment of both Keller Rohrback and the Gibbs Law Group as co-lead counsel. That motion is set to be heard by this Court on December 8, 2017. Dkt. 42.

On November 29, 2017, following the Court’s consolidation and scheduling orders, Plaintiff Brach voluntarily dismissed his case against Wells Fargo, Brach v. Wells Fargo & Co. et al., No. 17-cv-



1 DATED this 30th day of November, 2017.

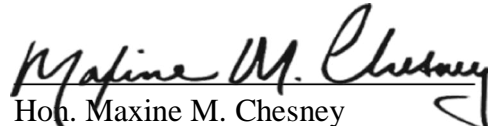
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3 /s/ Derek W. Loeser  
4 Derek W. Loeser (SBN 24274)  
5 Counsel for Plaintiff Muniz

/s/ Amanda L. Groves (w/permission)  
Amanda L. Groves (SBN 187216)  
Counsel for Defendants

6 /s/ Matthew J. Preusch  
7 Matthew J. Preusch (SBN 298144)  
8 Counsel for Plaintiff Muniz

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11 **PURSUANT TO STIPULATION IT IS SO ORDERED**

12  
13 DATED: November 30, 2017

  
14 Hon. Maxine M. Chesney  
15 United States District Court Judge