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11 *[Additional counsel listed on signature page]*
 Attorneys for Plaintiffs and all others Similarly Situated
 12

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15

16 ARMANDO PLASCENCIA, and MELANIA)
 PLASCENCIA, individually and on behalf of)
 17 all others similarly situated,)
 18 Plaintiffs,)
 19 v.)
 20 LENDING 1st MORTGAGE, LENDING 1st)
 MORTGAGE, LLC, EMC MORTGAGE)
 22 CORPORATION, and DOES 1 through 10)
 inclusive,)
 23 Defendants.)
 24)
 25)

CASE NO. 4:07-cv-04485-CW
 [Assigned to the Hon. Claudia Wilken, Ctrm. 2]
CLASS ACTION
STIPULATION AND ~~PROPOSED~~ ORDER
CONTINUING MEDIATION COMPLETION
DATE
 Complaint Filed: August 29, 2007
 Trial Date: Not set yet

1 **STIPULATION AND [PROPOSED] ORDER**

2 WHEREAS, on October 8, 2008, this Court granted the parties stipulation to extend mediation
3 completion date to December 17, 2008;

4 WHEREAS, on December 5, 2008, counsel for Plaintiffs were advised that new counsel for
5 Defendant EMC Mortgage Corporation would be entering an appearance;

6 WHEREAS, on December 5, 2008, new counsel for Defendant EMC Mortgage Corporation
7 requested that Plaintiffs file a request to extend the mediation completion date to January 21, 2009
8 because he will be unable to do so until December 9, 2008;

9 WHEREAS, counsel for the parties have agreed, with the Court's permission, to continue the
10 mediation completion date to February 21, 2009.

11 IT IS THEREFORE STIPULATED by and between Plaintiffs and Defendants that the final day
12 for mediation shall be February 21, 2009.

13 IT IS SO STIPULATED:

14 DATED: December 5, 2008

Respectfully submitted,

15 ARMANDO PLASCENCIA, and
16 MELANIA PLASCENCIA

17 By their attorneys,

18 /s/ Jeffrey K. Berns
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Attorneys for Plaintiff

DATED: December 5, 2008

LENDING 1st MORTGAGE, LLC.

By its attorneys,

/s/ J. Thomas Aldrich
J. Thomas Aldrich
**ERICKSEN, ARBUTHNOT, KILDUFF,
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Attorneys for Defendant

DATED: December 5, 2008

EMC MORTGAGE CORPORATION

By its attorneys,

/s/ Regina McClendon
Regina McClendon
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A Professional Corporation
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Attorneys for Defendant

1 ~~**PROPOSED**~~ ORDER

2 Pursuant to the Stipulation of counsel and for good cause shown, IT IS HEREBY ORDERED
3 that the mediation completion date currently set for December 17, 2008 is continued to February 21,
4 2009.

5 **IT IS SO ORDERED.**

6 12/10
7 Dated: _____, 2008

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9 _____
10 Hon. Claudia Wilken
11 UNITED STATES DISTRICT COURT JUDGE
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