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Attorneys for Defendant EMC MORTGAGE LLC, formerly known as EMC MORTGAGE CORPORATION

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

ARMANDO PLASCENCIA and MELANIA  
PLASCENCIA, individually and on behalf of  
all others similarly situated,

Plaintiffs,

v.

LENDING 1<sup>ST</sup> MORTGAGE; LENDING 1<sup>ST</sup>  
MORTGAGE, LLC; EMC MORTGAGE  
CORPORATION, and DOES 1 through 10,  
inclusive,

Defendants.

Case No. 4:07-cv-04485-CW

**CLASS ACTION**

Hon. Claudia Wilken

**AMENDED STIPULATION AND  
[~~PROPOSED~~] ORDER TO ENLARGE  
BRIEFING SCHEDULE ON PLAINTIFFS'  
SECOND MOTION TO AMEND CLASS  
CERTIFICATION ORDER AND TO  
CONTINUE DECEMBER 15, 2011  
HEARING DATE**

Crtrm.: 2

Complaint Filed: August 29, 2007  
Trial Date: June 18, 2012

1 WHEREAS on November 9, 2011, Plaintiffs filed their Second Motion to Amend Class  
2 Certification Order (Dkt. No. 285) (the "Second Motion to Amend"); and

3 WHEREAS pursuant to L. R. 7-3(a), defendants EMC Mortgage LLC ("EMC") and  
4 Lending 1st Mortgage ("Lending 1st") are required to file their oppositions to the Second Motion to  
5 Amend by November 23, 2011; and

6 WHEREAS pursuant to L.R. 7-3(c), Plaintiffs' reply in support of their Second Motion to  
7 Amend is due on November 30, 2011; and

8 WHEREAS the Second Motion to Amend is set for hearing on December 15, 2011 at 2:00  
9 p.m. (Dckt. No. 285); and

10 WHEREAS pursuant to L.R. 7-7(a), the hearing date may be continued by Plaintiffs' filing a  
11 notice continuing the hearing date but because the Parties are also seeking to enlarge the briefing  
12 schedule they are submitting the instant stipulation; and

13 WHEREAS no party has previously requested an extension of time with respect to the  
14 Second Motion to Amend.

15 THEREFORE, EMC, Lending 1st, and the Plaintiffs hereby stipulate to, and request that  
16 the Court approve, an extension of the deadlines with respect to the Second Motion to Amend, as  
17 follows:  
18

Event	Current Deadline	Proposed Deadline
Defendants to file opposition to Second Motion to Amend	December 2, 2011	November 30, 2011
Plaintiffs to file reply in support of Second Motion to Amend	November 30, 2011	December 16, 2011
Hearing on Second Motion to Amend	December 15, 2011 at 2:00 p.m.	January 12, 2012 at 2:00 p.m.

1 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

2 Dated: November 23, 2011

Williams Cuker Berezofsky

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8 *Attorneys for Plaintiffs and the Classes*

9  
10 Dated: November 23, 2011

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24 *Attorneys for EMC Mortgage LLC, formerly known as*  
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26  
27

1 Dated: November 23, 2011

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10 *Mortgage LLC*

1 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

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3 Date: 12/01/2011

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CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE