

1 SHEPPARD, MULLIN, RICHTER &  
2 HAMPTON LLP  
3 A limited Liability Partnership  
4 Including Professional Corporation  
5 MOLLY R. NEWLAND, CBN 244928  
6 mnewland@sheppardmullin.com  
7 SHANNON Z. PETERSEN, CBN 211426  
8 spetersen@sheppardmullin.com  
9 Four Embarcadero Center, 17th Floor  
10 San Francisco, California 94111-4109  
11 Telephone: 415-434-9100  
12 Facsimile: 415-434-3947

13 LEANN PEDERSEN POPE  
14 (Admitted *Pro Hac Vice*)  
15 lpope@burkelaw.com  
16 STEPHEN R. MEINERTZHAGEN  
17 (Admitted *Pro Hac Vice*)  
18 scheinertzhagen@burkelaw.com  
19 SUSAN MILLER OVERBEY  
20 (Admitted *Pro Hac Vice*)  
21 soverbey@burkelaw.com  
22 BURKE, WARREN, MACKAY & SERRITELLA,  
23 P.C.  
24 330 North Wabash Avenue, 22nd Floor  
25 Chicago, Illinois 60611  
26 Telephone: 312-840-7000  
27 Facsimile: 312-840-7900

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

11  
12 UNITED STATES DISTRICT COURT  
13  
14 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

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

18 Plaintiffs,

19 v.

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

24 Defendants.

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

26 **CLASS ACTION**

27 Hon. Claudia Wilken

28 **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**

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:

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

3 By: /s/ Mark R. Cuker

4 Mark R. Cuker (mcuker@wcblegal.com)  
5 Michael J. Quirk (mquirk@wcblegal.com)  
6 1617 J.F.K. Blvd., Suite 800  
7 Philadelphia, PA 19103-1819  
Telephone: 215-557-0099  
Facsimile: 215-557-0673

8 *Attorneys for Plaintiffs and the Classes*

9 Dated: November 23, 2011

10 SHEPPARD, MULLIN, RICHTER &  
11 HAMPTON LLP

12 By: /s/ Molly R. Newland

13 Molly R. Newland  
(mnewland@sheppardmullin.com)  
14 Shannon Z. Petersen  
(spetersen@sheppardmullin.com)  
15 Four Embarcadero Center, 17th Floor  
16 San Francisco, California 94111-4109  
Telephone: 415-434-9100  
Facsimile: 415-434-3947

17 BURKE, WARREN, MACKAY & SERRITELLA, P.C.  
18 LeAnn Pedersen Pope  
(lpope@burkelaw.com)  
19 Stephen R. Meinertzhagen  
(smeinertzhagen@burkelaw.com)  
20 330 North Wabash Avenue, 22nd Floor  
21 Chicago, IL 60611  
Telephone: 312-840-7000  
Facsimile: 312-840-7900

22 *Attorneys for EMC Mortgage LLC, formerly known as*  
23 *EMC Mortgage Corporation*

1 Dated: November 23, 2011

2 Ericksen Arbuthnot

3 By: /s/ Mark S. Tratten  
4 J. Thomas Aldrich  
(taldrich@ericksenarbuthnot.com)  
5 Mark S. Tratten  
(mtratten@ericksenarbuthnot.com)  
6 100 Howe Avenue, Suite 110 S  
Sacramento, CA 95825  
7 Telephone: 916-483-5181  
Facsimile: 916-483-7558

8 *Attorneys for Lending 1st Mortgage and Lending 1st*  
9 *Mortgage LLC*

1 PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.  
2  
3

4 Date: 12/01/2011  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27



CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE