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9 Attorneys for Defendant
 10 NAN YOUNG PARK

RECEIVED

OCT 31 2008

RICHARD W. WICKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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 12 WELLS FARGO BANK, N.A. as
 13 TRUSTEE for the CLARA POPPIC
 TRUST,

14 Plaintiff(s),
 15 vs.

16 KENNETH G. RENZ, ESTATE OF
 17 JACKSON R. DENNISON; ESTATE OF
 18 WILEY UMSTEAD; KAZUKO
 UMSTEAD; WON JAE YI aka MICHAEL
 YI; NAN Y. PARK; GUAN HUAN; YING
 ZHANG and SUI SONG,

19 Defendants.

Case No. CV 08 2561 SBA

STIPULATION AND REQUEST FOR
 ORDER SETTING ASIDE DEFAULT
 ENTERED AGAINST NAN YOUNG PARK

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 21 IT IS STIPULATED, by and between plaintiff and defendant Nan Young Park, by
 22 and through their attorneys, as follows:

23 1. The default entered against Nan Young Park on August 11, 2008, shall be set
 24 aside for good cause pursuant to Federal Rule Civil Procedure, Rule 55(c). In light of the
 25 Court's order of September 17, 2008, granting Plaintiff leave to file a Second Amended
 26 Complaint, the default against Nan Young Park shall be set aside pursuant to Rule 5(a)(2)
 27 and *D'Angelo v. Potter* (D.Mass 2004) 221 F.R.D 289, on the additional grounds that
 28

1 Plaintiff's Second Amended Complaint asserts new and additional claims against
2 defendant.

3 2. Defendant Nan Young Park shall respond to Plaintiff's Second Amended
4 Complaint no later than 10 days after the Second Amended Complaint is served on
5 defendant Nan Park, through his counsel. In the event that Plaintiff does not file the
6 Second Amended Complaint on or before December 4, 2008, Defendant Nan Young Park
7 shall respond to Plaintiff's First Amended Complaint on or before December 14, 2008.

8 Dated: October 30, 2008

DONGELL LAWRENCE & FINNEY

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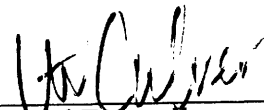
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By:  for Richard Dongell
Richard Dongell
Attorneys for Plaintiff
WELLS FARGO BANK, N.A. as
TRUSTEE for the CLARA POPPIC
TRUST

15 Dated: October 30 2008

BRYDON HUGO & PARKER

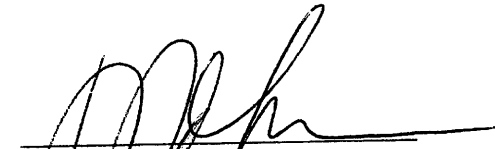
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By: 
Edward R. Hugo
Roland E. Thé
Josette D. Johnson
Attorneys for Defendans
NAN YOUNG PARK

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IT IS SO ORDERED.

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Dated 11/4/08


HON. SAUNDRA BROWN ARMSTRONG
United States District Judge

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