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[Counsel for parties are listed on signature page]

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

MARTIN LEWIS, AARON COOPER, and )  
ANISSA SCHILLING, on behalf of themselves )  
and a class of those similarly situated, )  
 )  
Plaintiffs, )  
vs. )  
 )  
WELLS FARGO & CO., )  
 )  
Defendant. )

Case No. CV-08-2670-CW  
Judge: Hon. Claudia Wilken

**STIPULATION AND ORDER TO  
ALLOW PLAINTIFFS LEAVE TO FILE  
A SECOND AMENDED COMPLAINT**

Action Filed: May 28, 2008  
Trial Date: None Set

1 The parties, through their respective counsel of record, hereby stipulate and agree that  
2 Plaintiffs may file a Second Amended Complaint ("SAC") to resolve the parties' disagreement  
3 regarding the Minnesota State law claims asserted by Plaintiff Anissa Schilling. The parties further  
4 stipulate and agree that Defendant Wells Fargo Bank, N.A.<sup>1</sup> shall have up to and including  
5 February 26, 2009 to file a responsive pleading to said SAC. In the event that this stipulation and  
6 Order is not signed and the SAC is not filed on or before February 26, 2009, any responsive  
7 pleading filed by Defendant on February 26, 2009 will nonetheless be deemed to be filed in  
8 response to the SAC, which Plaintiffs have previously provided to Defendant.

9 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

10 DATED: February 25, 2009

/S/ - Jahan C. Sagafi

Jahan C. Sagafi

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*Attorneys for Plaintiffs and Class Members*

18 DATED: February 25, 2009

/S/ - Alison L. Tsao

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*Attorneys for Defendant WELLS FARGO BANK, N.A.*

<sup>1</sup> Erroneously sued as "Wells Fargo & Co."

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**ORDER**

The foregoing stipulation is approved, and IT IS SO ORDERED.

43/2/09



DATED: \_\_\_\_\_

\_\_\_\_\_  
Hon. Claudia Wilken  
UNITED STATES DISTRICT JUDGE