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 and as successor to CITIBANK (WEST), FSB,
 8 and CITIBANK F.S.B.

9
 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION
 13

14 MIKE AMRHEIN,)	Case No. CV-08-5101-SBA
)	
15 Plaintiff,)	[Assigned to the Hon. Sandra B. Armstrong]
)	
16 vs.)	STIPULATION AND ORDER TO EXTEND
)	TIME TO RESPOND TO CLASS ACTION
17 CITIBANK INC., CITIBANK (WEST) FSB,)	COMPLAINT
18 CITIBANK, N.A. AND CITIBANK F.S.B., and)	
DOES 1-125,)	
)	
19 Defendants.)	
)	

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STIPULATION AND [PROPOSED] ORDER
 Case No. CV-08-5101-SBA

1 **STIPULATION**

2 WHEREAS, plaintiff Mike Amrhein (“Plaintiff”) filed his Class Action Complaint (the
3 “Complaint”) on or about November 7, 2008;

4 WHEREAS, defendants Citigroup Inc. and Citibank, N.A., for itself and as successor to
5 Citibank (West), FSB, and Citibank F.S.B. (together, “Defendants”), executed a Waiver of the
6 Service of Summons on December 4, 2008;

7 WHEREAS, on January 26, 2009, the parties filed a stipulation extending the date by which
8 Defendants must respond to the Complaint by a period of two weeks, from January 30, 2009 to
9 February 13, 2009;

10 WHEREAS, Plaintiff has advised that he intends to submit an amended Complaint to the
11 Court within the next two weeks, adding one or more new plaintiffs and new allegations;

12 WHEREAS, pursuant to Local Rules 6-1(b) and 6-2, the parties may request an order
13 altering a date that involves papers required to be filed with the Court;

14 WHEREAS, filing a response to the original Complaint will result in unnecessary
15 duplication and expenditure of resources as the filing of an amended Complaint will renew
16 Defendants’ obligation to prepare and file a response;

17 WHEREAS, in light of the foregoing, the parties have agreed to extend the time in which
18 Defendants must respond to the original Complaint for thirty (30) days past the present deadline of
19 February 13, 2009, to and including March 16, 2009; and

20 WHEREAS, this Stipulation is made in good faith and not for purposes of delay.

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ORDER

IT IS HEREBY ORDERED, pursuant to the Stipulation between the parties, that:

Defendants' time to respond to the Complaint hereby is extended for a period of thirty (30) days, to and including March 16, 2009.

IT IS FURTHER ORDERED THAT the Case Management Conference, currently set for **February 26, 2009, at 3:15 p.m. is CONTINUED to April 15, 2009, at 2:45 p.m.** The parties shall **meet and confer** prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

IT IS SO ORDERED.

DATED: 2/6/09


The Honorable Saunda B. Armstrong
United States District Judge