

1 Stephen R. Jaffe, State Bar No. 49539  
 LAW OFFICES OF STEPHEN R. JAFFE  
 2 101 California Street, Suite 2450  
 San Francisco, CA 94111  
 3 Phone: (415) 618-0100  
 Fax: (415) 618-0080  
 4 E-mail: stephen.r.jaffe@jaffetriallaw.com  
 Attorney for Plaintiffs,  
 5 FREDERICK J. CASISSA and  
 ELIZABETH RIGGINS

6 Steven R. Blackburn, State Bar No. 154797  
 Andrew J. Sommer, State Bar No. 192844  
 EPSTEIN BECKER & GREEN, P.C.  
 8 One California Street, 26th Floor  
 San Francisco, California 94111-5427  
 9 Telephone: 415.398.3500  
 Facsimile: 415.398.0955  
 10 E-mail: sblackburn@ebglaw.com  
 E-mail: asommer@ebglaw.com  
 11 Attorneys for Defendant,  
 BANK OF AMERICA, N.A. (as successor in interest  
 12 to Merrill Lynch Bank and Trust Company, FSB)

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

15 FREDERICK J. CASISSA,  
 16 Plaintiff,

17 v.

18 FIRST REPUBLIC BANK, a division of  
 19 MERRILL LYNCH BANK AND TRUST,  
 FSB, DOE 1 through DOE 20,

20 Defendants.

21 

---

 22 ELIZABETH RIGGINS,  
 23 Plaintiff,

24 v.

25 FIRST REPUBLIC BANK, a division of  
 26 MERRILL LYNCH BANK AND TRUST,  
 FSB, DOE 1 through DOE 20,

27 Defendants.  
 28 

---

CASE NO. C 09 04129 CW  
 CASE NO. C 09 04130 CW  
 (Consolidated Cases)

**STIPULATION AND ORDER  
 CONTINUING TRIAL AND RESETTING  
 PRE-TRIAL DEADLINES**

Removal Filed: September 4, 2009  
 Trial: January 9, 2012

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**STIPULATION**

The parties, by and through their respective counsel of record, stipulate to continue trial and reset pretrial deadlines based on the following facts:

1. On July 7, 2011, Defendant Bank of America, N.A. filed a Motion to Continue Trial and Reset Pre-Trial Deadlines on the grounds that the complexity of the legal issues and substantial volume of e-discovery have prevented the parties from timely completing initial discovery. On July 12, 2011, the Court issued an order shortening the briefing schedule and notifying the parties that the motion would be decided on the papers.

2. Following the filing of this motion, the parties have agreed to continue the trial to June 2012, or the next available date, and reset the pre-trial deadlines, including the deadlines for completing fact and expert discovery and for hearing dispositive motions.

DATED: July 13, 2011  
  
LAW OFFICES OF STEPHEN R. JAFFE  
  
By: /s/ Stephen R. Jaffe  
Stephen R. Jaffe  
Attorney for Plaintiffs FREDERICK J.  
CASISSA and ELIZABETH RIGGINS

DATED: July 13, 2011  
  
EPSTEIN BECKER & GREEN, P.C.  
  
By: /s/ Andrew J. Sommer  
Steven R. Blackburn  
Andrew J. Sommer  
Attorneys for Defendant  
BANK OF AMERICA, N.A.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Pursuant to the stipulation, the trial in these consolidated cases is continued from January 9, 2012 to June 4, 2012. **Pre-trial conference is continued from December 20, 2011 to May 22, 2012.** The pre-trial scheduling order entered on February 4, 2011 is hereby modified and the pre-trial deadlines are continued as follows:

1. Fact Discovery Cutoff: **11/18/2011**
2. Expert Discovery Cutoff **11/18/2011**
3. Expert Disclosure: **10/7/2011**
4. Rebuttal Expert Disclosure: **10/21/2011**
5. Further Case Management Conference: **9/29/2011**
6. Hearing on Dispositive Motions: **9/29/2011**

IT IS SO ORDERED.

Dated: 7/19/2011

  
\_\_\_\_\_  
HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE