

1 DONALD J. QUERIO (State Bar No. 54367)  
djq@severson.com  
2 EDWARD R. BUELL, III (State Bar No. 240494)  
erb@severson.com  
3 SEVERSON & WERSON  
A Professional Corporation  
4 One Embarcadero Center, Suite 2600  
San Francisco, CA 94111  
5 Telephone: (415) 398-3344  
Facsimile: (415) 956-0439

6 Attorneys for Defendants  
7 WELLS FARGO HOME MORTGAGE and  
BANK OF AMERICA, N.A.  
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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 ROBERT BONÉ and NANCY BONÉ,

13 Plaintiffs,

14 vs.

15 WELLS FARGO HOME MORTGAGE, a  
division of Wells Fargo Bank, N.A., successor  
16 by merger to Wells Fargo Home Mortgage,  
Inc.; BANK OF AMERICA, N.A.; and DOES  
17 1 through 30,,

18 Defendants.  
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Case No.: 4:10-cv-02011-PJH

**STIPULATION TO CONTINUE  
HEARING DATE FOR DEFENDANTS'  
MOTION TO DISMISS PLAINTIFFS'  
FIRST AMENDED COMPLAINT AND  
MOTION TO STRIKE PORTIONS OF  
THE FIRST AMENDED COMPLAINT  
[FRCP 12(B)(6) & FRCP 12(F)];  
[PROPOSED] ORDER**

Current Date: March 23, 2011  
Time: 9:00 a.m.  
Dept.: Courtroom 3, 3<sup>rd</sup> Floor  
Judge: Hon. Phyllis J. Hamilton  
Comp. Date: April 6, 2010  
Trial Date: TBD

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**STIPULATION**

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, as follows:

1. The Motion set for March 23, 2011 will be continued to Wednesday, April 27, 2011, at 9:00 a.m. or as soon thereafter as the matter may be heard, in Courtroom 3, 3rd Floor of the above-entitled Court, located at U.S. District Court, 1301 Clay Street, Oakland, CA 94612.

**IT IS SO STIPULATED:**

DATED: March 21, 2011

LAW OFFICES OF DAVID STURGEON-GARCIA

By:           /s/ David Sturgeon-Garcia            
DAVID STURGEON-GARCIA  
Attorney for Plaintiffs  
ROBERT and NANCY BONE

DATED: March 21, 2011

SEVERSON & WERSON  
A Professional Corporation

By:           /s/ Edward R. Buell III            
EDWARD R. BUELL III  
Attorneys for Defendant  
WELLS FARGO HOME MORTGAGE  
and BANK OF AMERICA, N.A.

**ORDER**

Pursuant to the stipulation of the parties and GOOD CAUSE APPEARING:

IT IS HEREBY ORDERED that the Motion to Dismiss and to Strike Portions of the First Amended Complaint set for hearing on March 23, 2011 is continued to Wednesday, April 27, 2011, 2011, at 9:00 a.m. in Courtroom 3, 3rd Floor of the above-entitled Court, located at U.S. District Court, 1301 Clay Street, Oakland, CA 94612.

DATED: 3/22/11

Hon. Phyllis J. Hamilton  
United States District Court

