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6 **Attorneys for Defendant**
PNC BANK, NATIONAL ASSOCIATION, as successor
7 **by merger to National City Bank, previously doing**
8 **business as "National City Mortgage" (named as**
"National City Mortgage Co.")

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

13 LEROY TYLER, an individual,
14 Plaintiff,

15 v.

16 NATIONAL CITY MORTGAGE CO., an Ohio
corporation; U.S. BANCORP, a Minnesota
17 corporation; all persons unknown, claiming any
legal or equitable right, title, estate, lien, or interests
18 in the Subject Property adverse to Plaintiff's title,
or any cloud on Plaintiff's title to the Subject
19 Property; and DOES 1 through 25, inclusive,
20 Defendants.

Case No.: 4:10-cv-03415 PJH

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO FILE A
SECOND AMENDED COMPLAINT AND
CONTINUING CASE MANAGEMENT
CONFERENCE**

Current CMC
Date: September 8, 2011
Time: 2:00 p.m.
Place: Courtroom 3, 3rd Floor

22 COME NOW Defendant PNC BANK, NATIONAL ASSOCIATION, as successor by
23 merger to National City Bank, previously doing business as "National City Mortgage" (named as
24 "National City Mortgage Co.") ("Defendant" and/or "PNC") and Plaintiff LEROY TYLER
25 ("Plaintiff") (collectively, "the Parties"), and hereby stipulate as follows:

26 WHEREAS, the Court scheduled a case management conference for September 8, 2011;
27 WHEREAS, Plaintiff will be filing his second amended complaint ("SAC") by September 2,
28 2011; and



1 WHEREAS, the Defendants' time to respond to an SAC will not expire before the case
2 management conference as currently scheduled, and the case will not be at issue at that time or
3 otherwise ripe for case management;

4 NOW, THEREFORE, the Parties stipulate and agree that Plaintiff's time to file a SAC shall
5 be extended to September 2, 2011, and the Court's case management conference shall be continued
6 thirty (30) days, to October 10, 2011, or another date thereafter that is convenient for the Court.

7 IT IS SO STIPULATED.

8 DATED: August 31, 2011

WOLFE & WYMAN LLP

9 By: /s/ Marcus T. Brown SBN 255662

10 STUART B. WOLFE
MARCUS T. BROWN

11 **Attorneys for Defendant**
12 **PNC BANK, NATIONAL ASSOCIATION, as**
13 **successor by merger to National City Bank,**
14 **previously doing business as "National City**
15 **Mortgage" (named as "National City Mortgage Co.")**

14 DATED: August 31, 2011

GOINS & ASSOCIATES PLC

15 By: /s/ Veronica H. Garcia

16 VERNON C. GOINS II
VERONICA H. GARCIA

17 **Attorneys for Plaintiff**
18 **LEROY TYLER**

19 **PROPOSED ORDER**

20 The Court, having reviewed the Stipulation Extending Time to File a Second Amended
21 Complaint and Continuing Case Management Conference, and Good Cause appearing therefore,
22 makes the following Order:

23 The Case Management Conference currently scheduled for September 8, 2011 at 2:00 p.m.,
24 is hereby continued to October 13, 2011, and Plaintiff shall have up to and including
25 September 2, 2011, to file a second amended complaint.

26 IT IS SO ORDERED.

27 Dated: September 2, 2011

28 JUDGE OF THE U.S. DISTRICT COURT



WOLFE & WYMAN LLP
ATTORNEYS & COUNSELORS AT LAW