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6 **Attorneys for Defendant**
PNC BANK, NATIONAL ASSOCIATION, as successor
 7 **by merger to National City Bank, previously doing**
business as "National City Mortgage" (named as
 8 **"National City Mortgage Co."); U.S. BANK, N.A.,**
(erroneously sued as "U.S. Bancorp")

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

13 LEROY TYLER, an individual,
 14
 Plaintiff,
 15
 v.
 16
 NATIONAL CITY MORTGAGE CO., an Ohio
 17 corporation; U.S. BANCORP, a Minnesota
 18 corporation; all persons unknown, claiming any
 19 legal or equitable right, title, estate, lien, or interests
 in the Subject Property adverse to Plaintiff's title,
 or any cloud on Plaintiff's title to the Subject
 Property; and DOES 1 through 25, inclusive,
 20
 Defendants.
 21

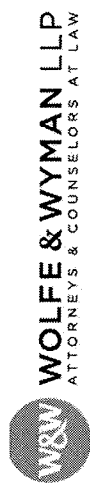
Case No.: 4:10-cv-03415 PJH

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

Date: January 5, 2012
 Time: 1:00 p.m.
 Place: Courtroom 3, 3rd Floor

22 Plaintiff and Defendants PNC BANK, NATIONAL ASSOCIATION, as successor by merger
 23 to National City Bank, previously doing business as "National City Mortgage" (named as "National
 24 City Mortgage Co.") ("PNC") and U.S. BANK, N.A. (erroneously sued as "U.S. Bancorp") hereby
 25 stipulate as follows and request that the court enter the proposed order set forth below.

26 WHEREAS, the court scheduled a case management conference for January 5, 2012;
 27 WHEREAS, the court has since granted Defendants' motion to dismiss Plaintiff's second
 28 amended complaint; ordered PNC to notify the court no later than January 17, 2012, regarding the



1 possibility of a loan modification; and deferred its ruling on whether to grant Plaintiff further leave
2 to amend until after PNC provides this notification; and

3 WHEREAS, the case will not be at issue or otherwise ripe for case management by the time
4 of the case management conference,

5 NOW, THEREFORE, the parties stipulate and agree that case management conference shall
6 be continued to February 1, 2012, or another date thereafter that is convenient for the Court.

7 IT IS SO STIPULATED.

8 DATED: December 28, 2011

WOLFE & WYMAN LLP

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

10 STUART B. WOLFE
11 MARCUS T. BROWN

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

17 DATED: December 28, 2011

GOINS & ASSOCIATES PLC

18 By: /s/ Veronica H. Garcia

19 VERNON C. GOINS II
20 VERONICA H. GARCIA

21 **Attorneys for Plaintiff**
22 **LEROY TYLER**

23 **ORDER**

24 Based upon the foregoing stipulation and good cause appearing, the court ORDERS that the
25 case management conference currently scheduled for January 5, 2012, at 1:00 p.m., is hereby
26 continued to February 2, 2012.

27 IT IS SO ORDERED.

28 Dated: 1/3/12

THE HONORABLE PHYLIS J. HAMILTON
UNITED STATES DISTRICT COURT
JUDGE

