

Yosef Peretz (SBN 209288)
Emily A. Knoles (SBN 241671)
Michael D. Burstein (SBN 248516)
PERETZ & ASSOCIATES
22 Battery Street, Suite 202
San Francisco, CA 94111
Telephone: 415.732.3777
Facsimile: 415.372.3791

Attorneys for Plaintiffs
YESENIA GUITRON and JUDI KLOSEK

Baldwin J. Lee (Bar No. 187413)
Alexander Nestor (Bar No. 202795)
ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
Three Embarcadero Center, 12th Floor
San Francisco, CA 94111-4074
Phone: (415) 837-1515
Fax: (415) 837-1516
E-Mail:blee@allenmatkins.com
anestor@allenmatkins.com

Attorneys for Defendants
WELLS FARGO BANK, N.A., WELLS FARGO & CO. AND
PAM RUBIO

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

YESENIA GUITRON; and JUDI KLOSEK,

Plaintiffs,

v.

WELLS FARGO BANK, N.A.; WELLS
FARGO & CO.; PAM RUBIO; and DOES 1-
20,

Defendants.

CASE NO. CIV-10-03461 CW (MEJ)

**PARTIES' STIPULATION AND
ORDER TO EXTEND FACT
DISCOVERY AND DISPOSITIVE
MOTION CUT-OFF DATES AND THE
TIME TO COMPLETE ADR**

STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND FACT DISCOVERY AND MOTION CUT-OFF DATES AND THE
TIME TO COMPLETE ADR

1 Plaintiffs YESENIA GUITRON and JUDI KLOSEK and Defendants WELLS FARGO
2 BANK, N.A., WELLS FARGO & CO. and PAM RUBIO (collectively, "Defendants") stipulate,
3 as follows:

4 WHEREAS, disputes have arisen between the parties relating to various discovery issues
5 that have delayed the completion of the parties' noticed depositions;

6 WHEREAS, in an effort to resolve the parties' disputes, the parties have met and
7 conferred in person and in writing, and have reached sufficient resolution to the disputes such
8 that the depositions can now go forward;

9 WHEREAS, the parties still have to complete at least fifteen days of deposition;

10 WHEREAS, the fact discovery cut-off date in this action currently is August 5, 2011 and
11 the motion cut-off date is October 13, 2011;

12 WHEREAS, the parties need an additional 60 days to complete their depositions and all
13 fact discovery;

14 WHEREAS, the parties intend to participate in mediation in good faith pursuant to the
15 Court's January 18, 2011 Case Management Conference Order;

16 WHEREAS, the parties had agreed to mediate this case with the Court-appointed
17 mediator, G. Scott Emblidge, on June 21, 2011.

18 WHEREAS, the parties believe that mediation will only be successful after substantive
19 discovery has been conducted in this case;

20 WHEREAS, the parties have been meeting and conferring regarding several discovery
21 disputes that have delayed the completion of the discovery the parties believe is necessary to
22 engage in a successful mediation;

23 WHEREAS, the parties have contacted Mr. Emblidge to schedule an alternative, later
24 date for the mediation before September 30, 2011;

25 THEREFORE, the parties stipulate and ask the Court to grant a 60-day extension of the
26 fact discovery and motion cut-off dates, as well as an extension to September 30, 2011, of the
27 date by which the parties must comply with the court-appointed mediation.

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STIPULATION AND ~~PROPOSED~~ ORDER TO EXTEND FACT DISCOVERY AND MOTION CUT-OFF DATES AND THE
TIME TO COMPLETE ADR

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IT IS SO STIPULATED THROUGH COUNSEL OF RECORD:

Dated: July 1, 2011

ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP

By: (-) Alexander Nestor
ALEXANDER NESTOR
Attorneys for Defendants WELLS
FARGO BANK, N.A., WELLS FARGO
& CO. AND PAM RUBIO

Dated: July 1, 2011

PERETZ & ASSOCIATES

By: (-) Yosef Peretz
YOSEF PERETZ
Attorneys for Plaintiffs YESENIA
GUITRON and JUDI KLOSEK

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3 **ORDER**

4 Pursuant to the parties' Stipulation, and Good Cause appearing therefor, the Court
5 hereby orders as follows:

- 6 1) The fact discovery cut-off date is continued from August 5, 2011, to October 5, 2011;
7 2) The motion cut-off date **and further case management conference** are continued
8 from October 13, 2011, to December **15**, 2011; and
9 3) The date by which the parties must complete their ADR session is continued from
10 July 1, 2011, to September 30, 2011.

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12 IT IS SO ORDERED. **This delay may lead to a delay of the pretrial and trial dates.**

13 Dated: **July 8**, 2011

14 By 
15 THE HON. CLAUDIA WILKEN
16 U.S. DISTRICT JUDGE
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