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10 **Attorneys for Defendant**
 11 **PNC BANK, NATIONAL ASSOCIATION, as**
 12 **successor by merger to National City Bank**
 13 **(named as "National City Bank")**

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **OAKLAND DIVISION**

17 **DIANA ENGEL, an individual,**
 18 **Plaintiff,**

19 **v.**

20 **WASHINGTON MUTUAL BANK, FA, a**
 21 **business entity, form unknown; NATIONAL**
 22 **CITY BANK, a business entity, form unknown;**
 23 **ALLIANCE TITLE COMPANY, a business**
 24 **entity, form unknown; UNITED TITLE AND**
 25 **SETTLEMENT, a business entity, form**
 26 **unknown; CALIFORNIA RECONVEYANCE**
 27 **COMPANY, a business entity, form unknown;**
 28 **MORTGAGE ELECTRONIC**
REGISTRATION SYSTEMS, INC., a business
entity, form unknown; and DOES 1-100,
inclusive,
Defendants.

Case No.: 4:11-cv-00055 SBA

Assigned For All Purposes To:
 Hon. Sandra Brown Armstrong
 Courtroom 1 – 4th Floor

STIPULATION AND ORDER CONTINUING
CASE MANAGEMENT CONFERENCE

Date: October 26, 2011
 Time: 2:30 p.m.
 Place: By Telephone

Defendant PNC BANK, NATIONAL ASSOCIATION, as successor by merger to National City Bank (named as "National City Bank") ("PNC"), Plaintiff DIANA ENGEL ("Plaintiff") and Defendant CALIFORNIA RECONVEYANCE COMPANY ("CRC") (collectively, the "Parties") hereby stipulate as follows:

///

1 WHEREAS, the Initial Case Management Conference (“CMC”) is scheduled to occur by
2 telephone on October 26, 2011;

3 WHEREAS, the Parties have met and conferred through their attorneys regarding the status
4 of the case and the upcoming CMC;

5 WHEREAS, PNC’s motion to dismiss Plaintiff’s complaint is under submission with the
6 court;

7 WHEREAS, per the agreement of Plaintiff, CRC has not filed a response to the complaint,
8 and the case is not at issue;

9 WHEREAS, counsel for CRC reports that Plaintiff sold the subject real property on or about
10 August 26, 2011;

11 WHEREAS, in light of the reported sale of the property, Plaintiff’s counsel requires
12 additional time to confer with his client regarding whether she wishes to prosecute this
13 case; and

14 WHEREAS, given the foregoing, the Parties believe that it would be inefficient to hold the
15 CMC on October 26 and that the case will not be ripe for scheduling or other case management at
16 that time, and

17 THEREFORE, IT IS HEREBY STIPULATED THAT the Initial Case Management
18 Conference, currently set for October 26, 2011, shall be continued at least 60 days to allow
19 additional time for Plaintiff’s counsel to confer with his client and for the court to rule on PNC’s
20 motion to dismiss.

21 IT IS SO STIPULATED.

22
23 DATED: October 14, 2011

WOLFE & WYMAN LLP

24
25 By: /s/ Marcus T. Brown SBN 255662

STUART B. WOLFE
MARCUS T. BROWN

26 **Attorneys for Defendant**
27 **PNC BANK, NATIONAL ASSOCIATION, as**
28 **successor by merger to National City Bank (named**
as "National City Bank")

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DATED: October 14, 2011

LEPERA & ASSOCIATES, PC

By: /s/ Joseph A. Lepera

JOSEPH A. LEPERA
Attorneys for Plaintiff
DIANA ENGEL

DATED: October 14, 2011

MORRISON & FOERSTER LLP

By: /s/ Brian L. Levine

BRIAN L. LEVINE
Attorneys for Defendant
CALIFORNIA RECONVEYANCE COMPANY

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ORDER

The Court, having reviewed the Stipulation Continuing Case Management Conference, and Good Cause appearing therefore, makes the following Order:

IT IS HEREBY ORDERED THAT the telephonic Case Management Conference currently scheduled for October 26, 2011, is CONTINUED to January 25, 2012 at 2:45 p.m. Prior to the date scheduled for the conference, the parties shall meet and confer and prepare a joint Case Management Conference Statement. The joint statement shall be filed no later than seven (7) days prior to the conference and shall comply with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiff shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

IT IS SO ORDERED.

Dated: 10/17/11



Hon. Sandra Brown Armstrong
U.S. DISTRICT COURT JUDGE