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12 Attorneys for Defendant
Citibank, N.A., successor in interest to
13 Citibank (South Dakota), N.A.

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

18 BYRON D. DAUGHERTY,

19 Plaintiff,

20 vs.

21 EXPERIAN INFORMATION
SOLUTIONS, INC.;
22 TRANS UNION LLC;
EQUIFAX INFORMATION SERVICES
23 LLC;
CITIBANK (SOUTH DAKOTA), N.A.;
24 and DOES 1 through 30, inclusive,

25 Defendants.

CASE NO. C 11-01285-SBA

**STIPULATION TO EXTEND
TIME TO FILE REPLY IN
SUPPORT OF CITIBANK,
N.A.'S MOTION TO COMPEL
ARBITRATION; ~~PROPOSED~~
ORDER**

Hon. Sandra Brown Armstrong

1 Plaintiff Byron D. Daugherty (“Plaintiff”) and Defendant Citibank, N.A.,
2 successor in interest to Citibank (South Dakota) N.A. (“Citibank”) hereby stipulate
3 to the following:
4

5 1. WHEREAS Citibank filed a Motion to Compel Arbitration on August 19,
6 2011;
7

8 2. WHEREAS Plaintiff’s deadline to oppose Citibank’s Motion to Compel
9 Arbitration was September 2, 2011;
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11 3. WHEREAS On October 12, 2011, Plaintiff had not filed an opposition to
12 Citibank’s Motion to Compel Arbitration;
13

14 4. WHEREAS On October 12, 2011, Citibank agreed to allow Plaintiff to file
15 an opposition to its’ Motion to Compel Arbitration on or before October 14, 2011
16 and Plaintiff agreed to allow Citibank to file an amended reply in support of the
17 Motion to Compel Arbitration on or before 21 days after Plaintiff files his
18 opposition.;
19
20

21 5. WHEREAS On October 14, 2011, Plaintiff filed a stipulation regarding
22 the above agreement between Plaintiff and Citibank (*See* Doc. No. 36);
23

24 6. WHEREAS On October 14, 2011, Plaintiff filed an opposition to
25 Citibank’s Motion to Compel Arbitration.
26
27

1 7. WHEREAS on October 21, 2011, the Court entered Plaintiff and
2 Citibank's stipulation (*See* Doc. No. 39).

3
4 8. WHEREAS Citibank's reply in support of its' Motion to Compel
5 Arbitration is currently due on or before November 4, 2011.

6
7 9. WHEREAS Citibank requires additional time to investigate the issues
8 raised in Plaintiff's opposition to the Motion to Compel Arbitration.

9
10 10. WHEREAS On November 1, 2011, Plaintiff agreed to allow Citibank to
11 file its' amended reply in support of the Motion to Compel Arbitration on or before
12 November 18, 2011.

13
14 11. WHEREAS the requested extension of time will have no effect on the
15 case schedule as the hearing for the motion is set for January 24, 2012.

16
17 12. THEREFORE Plaintiff and Citibank, by and through their undersigned
18 counsel, hereby stipulate and agree that Citibank's deadline to file its' amended
19 reply to Plaintiff's opposition is November 18, 2011.

20
21
22 IT IS SO STIPULATED

23
24 DATED: November 3 , 2011

Law Office of James J. Bergmann

25
26 By: /s/James J. Bergmann

James J. Bergmann

Attorney for Plaintiff Byron D. Daugherty

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DATED: November 3, 2011

Simmonds & Narita LLP

By: /s/R. Travis Campbell

R. Travis Campbell
Attorneys for Defendant Citibank, N.A.,
successor in interest to Citibank (South
Dakota), N.A.

PURSUANT TO STIPULATION, IT IS SO ORDERD.

DATED: 11/17/11


SAUNDRA BROWN ARMSTRONG
U.S. District Judge