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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

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

Hon. Sandra Brown Armstrong

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SECOND STIPULATION TO EXTEND TIME TO FILE REPLY IN SUPPORT OF CITIBANK,
N.A.'S MOTION TO COMPEL ARBITRATION:
[PROPOSED ORDER] CASE NO. (C 11-01285-SBA)

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(the “motion”);
7

8 2. WHEREAS Pursuant to the stipulation between Plaintiff and Citibank
9 filed on October 14, 2011, Plaintiff filed his opposition to the motion on October 14,
10 2011 and Citibank’s amended reply in support of the motion was due on or before
11 November 4, 2011 (*see* Doc. No. 39);
12

13 3. WHEREAS Pursuant to the stipulation between Plaintiff and Citibank
14 filed on November 4, 2011, Citibank’s amended reply in support of the motion was
15 due on or before November 18, 2011 (*see* Doc. No. 41);
16

17 4. WHEREAS Due to the schedules of Citibank’s client representative and
18 Citibank’s counsel, Citibank requires additional time to prepare its amended reply.
19

20 5. WHEREAS On November 15, 2011, Plaintiff agreed to allow Citibank to
21 file its amended reply on or before December 2, 2011;
22

23 6. WHEREAS the requested extension of time will have no effect on the case
24 schedule as the hearing for the motion is set for January 24, 2012;
25

7. THEREFORE Plaintiff and Citibank, by and through their undersigned counsel, hereby stipulate and agree that Citibank's deadline to file its amended reply in support of its Motion to Compel Arbitration is December 2, 2011.

IT IS SO STIPULATED.

DATED: November 21, 2011

Law Office of James J. Bergmann

By: /s/James J. Bergmann

James J. Bergmann

Attorney for Plaintiff Byron D. Daugherty

DATED: November 21, 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: 11/28/11


SAUNDRA BROWN ARMSTRONG
U.S. District Judge