Quesada et al-v-Bank of America Corporation

Doc. 86

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## JOINT STIPULATION TO CONTINUE MEDIATION DEADLINE AND CASE **MANAGEMENT CONFERENCE**

This Stipulation is made by and between Plaintiff Elwood Quesada ("Plaintiff") and Defendant Merrill Lynch, Pierce, Fenner & Smith, Inc., successor in interest to Banc of America Investment Services, Inc. ("Merrill Lynch") (Plaintiff and Defendant are referred to as "the Parties") by and through their respective counsel of record.

## **STIPULATION**

WHEREAS, on September 11, 2012, this Court heard oral argument on Plaintiff's motion for class certification, and took such motion under submission. As of the date of this filing, the Court has not yet issued its Order on Plaintiff's motion;

WHEREAS, the Parties have been ordered to complete mediation by October 31, 2012;

WHEREAS, a Status Conference in this matter is set for November 6, 2012;

WHEREAS, the outcome of Plaintiff's motion will materially impact mediation;

WHEREAS, the Parties agree it is in the interest of judicial economy to continue the 15 mediation deadline 45 days, and continue the status conference approximately one week thereafter;

WHEREAS, the foregoing facts evidence good cause for the requested continuance.

THEREFORE, IT IS HEREBY STIPULATED:

The PARTIES stipulate that good cause exists to continue the mediation deadline 45 days to December 14, 2012, and to continue the status conference approximately one week thereafter.

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Case No. CV-11-01703 YGR

Case No. CV-11-01703 YGR

-3-

## REED SMITH LLP A limited liability partnership formed in the State of Delaware

## [PROPOSED] ORDER

Pursuant to the above Stipulation of the parties, and good cause appearing thereon, this Court hereby orders that the mediation deadline is **CONTINUED** to **December 14, 2012**, and the status conference is **CONTINUED** from November 6, 2012 to **January 7, 2013** at **2:00 p.m.** The parties shall file a joint status conference statement no later than one week prior to the status conference.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 17, 2012

Honorable Yvonne Gonzalez Rogers

Case No. CV-11-01703 YGR