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16 Attorneys for Defendant Wells Fargo & Company

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **OAKLAND DIVISION**

20 DANIEL CALL, on behalf of himself and all
21 others similarly situated,

22 Plaintiff,

23 vs.

24 WELLS FARGO & COMPANY, a Delaware
25 corporation,

26 Defendant.

Case No. 11-CV-5215-CW

**STIPULATION REGARDING EXTENSION
OF TIME FOR BRIEFING OF
DEFENDANT’S MOTION TO DISMISS THE
COMPLAINT
(CIVIL L.R. 6-1)**

1 Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiff Daniel Call and Defendant Wells Fargo &
2 Company, by and through the undersigned attorneys, hereby agree and stipulate as follows:

3 Whereas Plaintiff filed his complaint on October 25, 2011;

4 Whereas Defendant agreed to waive service of summons on October 26, 2011, thereby extending
5 Defendant's response date to December 27, 2011;

6 Whereas Plaintiff and Defendant stipulated to the dismissal of Plaintiff's claims against the
7 trustee, Bank of New York Mellon Trust Company, N.A., without prejudice, on November 17, 2011;

8 Whereas Defendant filed a motion to dismiss the complaint on December 27, 2011;

9 Whereas Local Rule 7-3 requires Plaintiff to file his opposition to the motion to dismiss on or
10 before January 10, 2012, and Defendant to file its reply on or before January 17, 2012;

11 Whereas the hearing has been set for March 1, 2012;

12 Whereas the parties request to extend the briefing schedule because of the New Year holiday and
13 briefing commitments in counsel's other matters;

14 Whereas the proposed briefing schedule ensures that the Court will receive all briefing on
15 Defendant's motion to dismiss more than two weeks prior to the scheduled hearing date; and

16 Whereas this agreement does not affect any of the dates set by the Court's October 25, 2011
17 Order Setting Initial Case Management Conference and ADR Deadlines;

18 **IT IS HEREBY STIPULATED AND AGREED**, by and through the undersigned attorneys for
19 the parties, subject to the Court's approval, that:

20 1. Plaintiff must file his opposition to Defendant's motion to dismiss on or before January
21 27, 2012; and

22 2. Defendant must file its reply to Plaintiff's response on or before February 13, 2012.

23 **IT IS SO STIPULATED.**

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1 DATED: January 4, 2012

GIRARD GIBBS LLP

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3 By: /s/ Daniel C. Girard
Daniel C. Girard

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9 Attorneys for Individual and Representative
Plaintiff Daniel Call

10 DATED: January 4, 2012

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19 Attorneys for Defendant Wells Fargo & Company

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22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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25 Date: 1/5/2012


26 Judge Claudia Wilken
27 United States District Judge
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