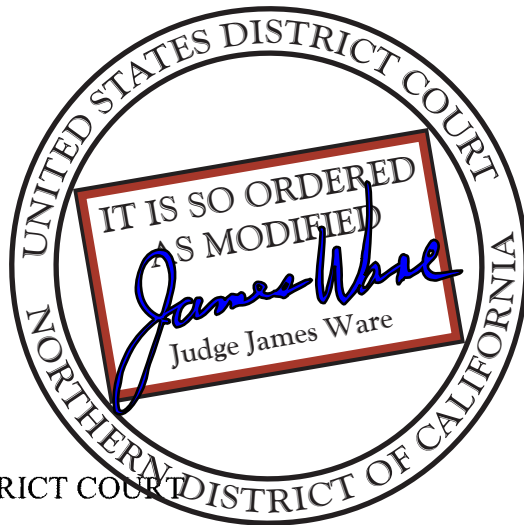


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 6 MARTIN MEDINA



7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN JOSE DIVISION

11 MARTIN MEDINA,  
 12 Plaintiff,  
 13 v.

14 COUNTRYWIDE HOME LOANS, INC.,  
 15 CARLOS AGUINAGA, CRUZ REALTY  
 GROUP, INC., CLAUDIA ESPINO,  
 16 WESTMORT CORP. dba WESTCOAST  
 MORTGAGE, VALERIE TOUNG-VI  
 NGUYEN, and DOES 1 TO 10, inclusive,  
 17 Defendants.

Case No. C06-06774 JW (PVT)

18 **STIPULATION AND [PROPOSED]**  
**ORDER TO CONTINUE SETTLEMENT**  
**DATES**

19 On August 27, 2008, the Court entered an Order requiring the parties to file a stipulated  
 20 dismissal on or before October 31, 2008, and setting an Order to Show Cause re Settlement for  
 21 November 10, 2008 at 9:00 AM.

22 Plaintiff Martin Medina (“Medina”) and Defendant Countrywide Home Loans, Inc.  
 23 (“Countrywide”) have finalized the terms of a settlement agreement, Countrywide has executed  
 24 that agreement, and both parties expect to finalize the agreement in the next few weeks. The  
 25 parties request a one month extension of the date to file a stipulated dismissal, to November 28,  
 26 2008, in order to finalize the settlement. The parties also request that the Court set a hearing on  
 27

1 the Order to Show Cause re Settlement on December 8, 2008, or as soon thereafter as the Court's  
2 schedule permits.<sup>1</sup>

3 **DECLARATION OF CONSENT**

4 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under  
5 penalty of perjury that concurrence in the filing of this document has been obtained from Bryan  
6 Cave LLP.

7 Dated: October 31, 2008

FISH & RICHARDSON P.C.

9 By: /s/ Jonathan J. Lamberson

Jonathan J. Lamberson

10 Attorneys for Plaintiff

11 MARTIN MEDINA

12 Dated: October 31, 2008

BRYAN CAVE LLP

15 By: /s/ Jed P. White

Robert E. Boone III

Jed P. White

16 Attorneys for Defendant

17 COUNTRYWIDE HOME LOANS, INC.

18 ~~PROPOSED~~ **ORDER**

19  
20 **PURSUANT TO STIPULATION, IT IS SO ORDERED:** The Court sets an Order to  
21 Show Cause re Settlement for **December 15, 2008 at 9 a.m.** The parties are to file a stipulated  
22 dismissal on or before November 28, 2008.

23  
24 Dated: November 5, 2008

25 James Ware  
Honorable James Ware  
United States District Judge

26  
27 <sup>1</sup> Medina is also attempting to finalize his settlement with Defendants Westcoast Mortgage and  
28 Valerie Toung-Vi Nguyen, but these Defendants have not furnished payment pursuant to the  
terms of the agreement. Medina may file a motion to enforce the settlement agreement with  
these parties if this issue is not resolved.