

\*\*E-Filed 11/3/08\*\*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

SEAN GUESS, on behalf of himself and  
all others similarly situated,

Plaintiff,

v.

US BANCORP; US BANCORP  
INVESTMENTS; U.S. BANK N.A.; U.S.  
BANK d/b/a U.S. BANK HOME  
MORTGAGE; and DOES 1 through 10,  
inclusive,

Defendants.

Case No. 06-CV-07535-JF

**The Honorable Jeremy Fogel**

**PROPOSED ORDER** GRANTING IN PART  
PLAINTIFF'S REQUEST FOR EXTENSION  
OF TIME TO FILE CLASS CERTIFICATION  
MOTION

AND NOW, this 3rd day of November, 2008, upon consideration of  
Plaintiff's Motion for Extension of Class Certification Briefing Schedule and any opposition  
thereto, the Court determines that Plaintiff's Motion is **GRANTED. IN PART**

It is hereby ORDERED and DECREED that:

1. Plaintiff's motion for class certification pursuant to Fed. R. Civ. P. 23 is due on or  
before November ~~13~~<sup>7</sup>, 2008.
2. Defendants will have forty-five (45) days to file an opposition.
3. Plaintiff will have thirty (30) days to file his reply.

IT IS SO ORDERED.

DATED: 11/3/08

  
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Honorable Jeremy Fogel, U.S.D.J.