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9 *Attorneys for Defendants*

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13 BERTHA ROMERO; JAMES RUIZ;
 14 MARGARITA CASTRO; TERESA
 AGUILERA; GILBERT GOMEZ; and
 15 EDWARD TENORIO and DONNA TENORIO
 individually and on behalf of all others similarly
 16 situated,

17 Plaintiffs,

18 v.

19 COUNTRYWIDE BANK, N.A.;
 COUNTRYWIDE HOME LOANS, INC.; and
 20 Does 7 through 10 inclusive,

21 Defendants.

Case No. C-07-04491 JF RS
 ORDER APPROVING
**STIPULATION EXTENDING THE
 COUNTRYWIDE DEFENDANTS' TIME
 TO FILE REPLY IN SUPPORT OF
 MOTION TO DISMISS FOURTH
 AMENDED COMPLAINT AND
 CONTINUING THE HEARING ON THE
 MOTION**

Judge: Hon. Jeremy Fogel

Current Reply Date: December 3, 2010

Proposed Reply Date: December 10, 2010

Current Hearing Date: December 17, 2010

Proposed Hearing Date: January 7, 2011

1 **STIPULATION EXTENDING TIME FOR THE COUNTRYWIDE DEFENDANTS TO FILE REPLY IN**
2 **SUPPORT OF MOTION TO DISMISS FOURTH AMENDED COMPLAINT AND CONTINUING THE**
3 **HEARING ON THE MOTION**

4 Pursuant to Local Rule 6-1(a), plaintiffs Bertha Romero (“Romero”), James Ruiz (“Ruiz”),
5 Margarita Castro (“Castro”), Teresa Aguilera (“Aguilera”), Gilbert Gomez (“Gomez”), and
6 Edward Tenorio and Donna Tenorio (“Tenorio”) (collectively, “Plaintiffs”), and defendants named
7 as “Countrywide Bank, N.A.” (“Countrywide Bank”) and “Countrywide Home Loans, Inc.”
8 (“CHL”) (collectively, the “Countrywide Defendants”) (together, with Plaintiffs, the “Parties”),
9 through their undersigned counsel, stipulate as follows:

10 WHEREAS, on October 2, 2010, the Countrywide Defendants filed a Motion to Dismiss
11 Plaintiffs’ Fourth Amended Complaint (“Motion”);

12 WHEREAS, on November 24, 2010, Plaintiffs filed an Opposition to the Motion;

13 WHEREAS, the Motion currently is scheduled for hearing on December 17, 2010;

14 WHEREAS, pursuant to Local Rule 7-3(c), the Countrywide Defendants’ Reply currently
15 is due on or before December 3, 2010;

16 WHEREAS, as a result of scheduling conflicts arising from the intervening Thanksgiving
17 holiday and other deadlines affecting the Countrywide Defendants’ counsel during the week of
18 November 29, 2010, the Countrywide Defendants’ counsel requested, and Plaintiff’s counsel
19 agreed to, a brief one week extension of the deadline for the Countrywide Defendants’ to file their
20 Reply up to and including December 10, 2010;

21 WHEREAS, in order to effectuate the agreed-to extension of time for the Countrywide
22 Defendants’ Reply, the Parties have agreed to continue the hearing on the Motion to January 7,
23 2011 – the first hearing date available after December 17, 2010;

24 WHEREAS, no prior continuances of the hearing date on the Motion have been sought;

25 WHEREAS, no trial date has been set;

26 WHEREAS, no party will be prejudiced by the stipulated-to extension; and

27 WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights or defenses
28 otherwise available to the Parties in this action;

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NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiffs,
by their undersigned counsel, and the Countrywide Defendants, by their undersigned counsel, that
the Countrywide Defendants' Reply shall be filed on or before December 10, 2010 and the hearing
on the Countrywide Defendants' Motion shall be continued to January 7, 2011 at 9:00 a.m.

Respectfully submitted,

Dated: November 30, 2010

/s/ Robert B. Bader
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Dated: November 30, 2010

/s/ Lee A. Weiss
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Attorneys for Plaintiffs

Dated: 12/8/2010


JEREMY FOGEL
United States District Judge

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ECF CERTIFICATION

Pursuant to General Order No. 45, § X.B., the filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to the document.

Dated: November 30, 2010

GOODWIN PROCTER LLP

By: /s/ Robert B. Bader

Attorneys for Defendants

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PROOF OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on November 30, 2010.

/s/ Robert B. Bader
Robert B. Bader