

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

A Limited Liability Partnership

Including Professional Corporations

ROBERT S. BEALL, Cal. Bar No. 132016

rbeall@sheppardmullin.com

SHANNON Z. PETERSEN, Cal. Bar No. 211426

spetersen@sheppardmullin.com

650 Town Center Drive, 4th Floor

Costa Mesa, California 92626-1993

Telephone: 714-513-5100

Facsimile: 714-513-5130

LEANN PEDERSEN POPE (Admitted *Pro Hac Vice*)

lpope@burkelaw.com

STEPHEN R. MEINERTZHAGEN (Admitted *Pro Hac Vice*)

smeinertzhagen@burkelaw.com

BURKE, WARREN, MACKAY & SERRITELLA, P.C.

330 North Wabash Avenue, 22nd Floor

Chicago, Illinois 60611

Telephone: 312-840-7000

Facsimile: 312-840-7900

Attorneys for Defendants

WASHINGTON MUTUAL MORTGAGE

SECURITIES CORP., and WAMU ASSET

ACCEPTANCE CORP.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION

ENEIDA AMPARAN, RAFAEL CISNEROS  
and GUADALUPE CISNEROS, individually  
and on behalf of all other similarly situated,

Plaintiffs,

v.

PLAZA HOME MORTGAGE, INC.;  
WASHINGTON MUTUAL MORTGAGE  
SECURITIES CORP.; WAMU ASSET  
ACCEPTANCE CORP.; COUNTRYWIDE  
HOME LOANS, INC.; COUNTRYWIDE  
BANK, FSB; and DOES 5 through 10,  
inclusive,

Defendants.

Case No. 5:07-cv-04498-JF (RSx)

**STIPULATION AND {PROPOSED}  
ORDER EXTENDING TIME FOR  
DEFENDANTS WASHINGTON MUTUAL  
MORTGAGE SECURITIES CORP.,  
WAMU ASSET ACCEPTANCE CORP.,  
AND PLAZA HOME MORTGAGE, INC.  
TO RESPOND TO THIRD AMENDED  
COMPLAINT**

STIPULATION EXTENDING TIME TO RESPOND TO  
THIRD AMENDED COMPLAINT

5:07-cv-04498-JF-(RSx)

1 Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(a), plaintiffs  
2 Eneida Amparan, Rafael Cisneros and Guadalupe Cisneros ("Plaintiffs"), and defendants  
3 Washington Mutual Mortgage Securities Corp., WaMu Asset Acceptance Corp., and Plaza  
4 Home Mortgage, Inc. (collectively, the "Parties"), through their undersigned counsel,  
5 stipulate as follows:

6 WHEREAS, on August 31, 2009, Plaintiffs filed a Third Amended Complaint  
7 ("TAC") in this action, adding new Plaintiffs and Defendants as well as modifying the  
8 allegations of the original Plaintiff against the original Defendants;

9 WHEREAS, on August 28, 2009, the Court entered an Order requiring the  
10 Defendants to respond to the TAC within thirty days of service, under which Order the  
11 Defendants' responsive pleadings would be due on or before September 30, 2009;

12 WHEREAS, on September 24, 2009, Plaintiffs and two of the newly added  
13 Defendants, Countrywide Home Loans, Inc. and Countrywide Bank, FSB, entered a  
14 Stipulation extending the time for those Defendants to respond to the TAC until October  
15 26, 2009;

16 WHEREAS, the Parties agree that all Defendants' pleadings in response to the TAC  
17 should be made according to the same schedule to avoid piecemeal motion practice;

18 WHEREAS, no party will be prejudiced by the stipulated extension; and

19 WHEREAS, this Stipulation is without prejudice to, or waiver of, any rights or  
20 defenses otherwise available to any of the parties in this action;

21 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between  
22 Plaintiffs and Defendants Washington Mutual Securities Corp., WaMu Asset Acceptance  
23 Corp., and Plaza Home Mortgage, Inc., by their respective undersigned counsel, that these  
24 Defendants shall have through and including October 26, 2009 to answer or otherwise  
25 respond to the TAC.

26 Pursuant to the United States District Court, Northern District of California, Civil  
27

1 Local Rule 6-1(b), the parties respectfully submit the attached proposed order for the  
2 convenience of the court.

3 Dated: September 25, 2009

/s/ Stephen R. Meinertzhagen

Stephen R. Meinertzhagen  
smeinertzhagen@burkelaw.com  
BURKE, WARREN, MACKAY & SERRITELLA,  
P.C.  
330 North Wabash Avenue, 22nd Floor  
Chicago, Illinois 60611  
Tel: 312-840-7000  
Fax: 312-840-7900

Robert S. Beall  
rbeall@sheppardmullin.com  
Shannon Z. Petersen  
spetersen@sheppardmullin.com  
SHEPPARD, MULLIN, RICHTER & HAMPTON  
LLP  
650 Town Center Drive, 4th Floor  
Costa Mesa, California 92626-1993  
Tel: 714-513-5100  
Fax: 714-513-5130  
*Attorneys for Defendants Washington Mutual  
Securities Corp., and WaMu Asset Acceptance Corp.*

16 Dated: September 25, 2009

/s/ John D. Alessio

John D. Alessio  
jda@procopio.com  
PROCOPIO CORY HARGREAVES & SAVITCH,  
LLP  
530 B Street, Suite 2100  
San Diego, California 92101  
Tel: 619-238-1900  
Fax: 619-235-0398  
*Attorneys for Defendant Plaza Home Mortgage, Inc.*

1 Dated: September 25, 2009

/s/ David M. Arbogast  
David M. Arbogast  
darbogast@law111.com

3 Jeffrey K. Berns  
4 jberns@law111.com  
5 ARBOGAST & BERNES LLP  
6 6303 Owensmouth Avenue, 10th Floor  
7 Woodland Hills, CA 91367-2263  
8 Phone: (818) 961-2000  
9 Fax: (818) 936-0232

11 Lee A. Weiss  
12 lweiss@bwgfirm.com  
13 Rebecca Tingey  
14 rtingey@bwgfirm.com  
15 BROWNE WOODS GEORGE LLP  
16 49 West 37th Street, 15th Floor  
17 New York, New York 10018  
18 Tel: 212-354-4901  
19 Fax: 212-354-4904

21 Michael A. Bowse  
22 mbowse@bwgfirm.com  
23 BROWN WOODS GEORGE LLP  
24 2121 Avenue of the Stars, Suite 2400  
25 Los Angeles, California 90067  
26 Tel: 310-274-7100  
27 Fax: 310-275-5697

28 Christopher A. Seeger  
cseeger@weiss.com  
SEEGER WEISS LLP  
One William Street  
New York, New York 10004  
Tel: 212-584-0700  
Fax: 212-584-0799

Jonathan Shub  
Seeger Weiss LLP  
1515 Market Street, Suite 1380  
Philadelphia, PA 19107  
T: 215.564-2300  
F: 215.851-8029  
jshub@seegerweiss.com

*Attorneys for Plaintiffs*


1 [PROPOSED] ORDER

2 Pursuant to the Stipulation of counsel and for good cause shown, IT IS HEREBY  
3 ORDERED that:

4 Defendants Washington Mutual Mortgage Securities Corp., WaMu Asset  
5 Acceptance Corp., and Plaza Home Mortgage, Inc., shall have through and including  
6 October 26, 2009 to answer or otherwise respond to the Third Amended Complaint.

7 IT IS SO ORDERED:

8 DATED: 10/1/09  
9 \_\_\_\_\_

  
Hon. Jeremy Fogel  
United States District Court Judge

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

Pursuant to N.D. Cal. General Order No. 45 § X(B), I hereby attest under penalty of perjury that concurrence in the filing of this document has been obtained by all the signatories.

/s/ John D. Alessio  
John D. Alessio  
jda@procopio.com  
PROCOPIO CORY HARGREAVES & SAVITCH,  
LLP  
530 B Street, Suite 2100  
San Diego, California 92101  
Tel: 619-238-1900  
Fax: 619-235-0398  
  
*Attorneys for Defendant Plaza Home Mortgage,  
Inc.*

3 **CERTIFICATE OF SERVICE**

4 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

5 I am employed in the County of San Diego; I am over the age of eighteen years and not a  
6 party to the within entitled action; my business address is 530 B Street, Ste. 2100, San Diego, CA  
7 92101.

8 On September 28, 2009, I served a copy of the following document(s) described as:

9 **STIPULATION and [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS**  
10 **WASHINGTON MUTAL MORTGAGE SECURITIES CORP., WAMU ASSET**  
11 **ACCEPTANCE CORP., AND PLAZA HOME MORTGAGE, INC. TO RESPOND TO**  
12 **THIRD AMENDED COMPLAINT** on the interested party(ies) in this action as follows:  
[ X ] Via CM-ECF (Electronic Filing System) United States District Court, Northern District

13 David M. Arbogast  
14 Jeffrey K. Berns  
15 Arbogast & Berns LLP  
16 19510 Ventura Boulevard, Suite 200  
17 Tarzana, California 91356  
Tel: 818-961-2000/Fax: 818-867-4820  
E-mail: darbogast@law111.com  
E-mail: jberns@law111.com

Lee A. Weiss  
Rebecca Tingey  
Browne Woods George LLP  
49 West 37th Street, 15th Floor  
New York, New York 10018  
Tel: 212-354-4901/Fax: 212-354-4904  
E-mail: lweiss@bwgfirm.com  
E-mail: rtingey@bwgfirm.com

18 Michael A. Bowse  
19 Brown Woods George LLP  
20 2121 Avenue of the Stars, Suite 2400  
21 Los Angeles, California 90067  
Tel: 310-274-7100/Fax: 310-275-5697  
E-mail: mbowse@bwgfirm.com

Jonathan Shub  
Seeger Weiss LLP  
1515 Market Street, Suite 1380  
Philadelphia, Pennsylvania 19102  
Tel: 215-564-2300/Fax: 215-851-8029  
E-mail: jshub@seegerweiss.com

22 Christopher A. Seeger  
23 Seeger Weiss LLP  
24 One William Street  
25 New York, New York 10004  
Tel: 212-584-0700/Fax: 212-584-0799  
E-mail: cseeger@weiss.com

Stephen R. Meinertzhagen  
smeinertzhagen@burkelaw.com  
BURKE, WARREN, MACKAY &  
SERRITELLA, P.C.  
330 North Wabash Avenue, 22nd Floor  
Chicago, Illinois 60611  
Tel: 312-840-7000  
Fax: 312-840-7900

1 Brooks R. Brown  
2 Goodwin Procter LLP  
3 10250 Constellation Boulevard  
4 Los Angeles, California 90067  
5 Tel: 310-788-5100  
6 Fax: 310-286-0992  
7 E-mail: bbrown@goodwinprocter.com

Robert B. Bader  
Goodwin Procter LLP  
Three Embarcadero Center, 24th Floor  
San Francisco, California 94111  
Tel: 415-733-6000  
Fax: 415-677-9041  
E-mail: rbader@goodwinprocter.com

8 FEDERAL: I declare that I am employed in the office of a member of the bar of this Court at  
9 whose direction the service was made. I declare under penalty of perjury under the laws of the  
10 United States of America that the foregoing is true and correct.

11 Executed on September 28, 2009, at San Diego, CA 92101

12 /s/ John D. Alessio  
13 John D. Alessio