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Attorneys for Plaintiff and the Proposed Classes

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAY RALSTON, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

MORTGAGE INVESTORS GROUP, INC.,
MORTGAGE INVESTORS GROUP, a
general partnership, COUNTRYWIDE
HOME LOANS, INC. AND DOES 3-10,

Defendants.

Case No.: CV-08-00536-JF (PSG)

**STIPULATION AND [PROPOSED]
ORDER TO VACATE CLASS
CERTIFICATION SCHEDULE**

This Stipulation is entered into by and among Plaintiff JAY J. RALSTON (“Plaintiff”), and Defendants MORTGAGE INVESTORS GROUP, INC., MORTGAGE INVESTORS GROUP and COUNTRYWIDE HOME LOANS, INC. (collectively, “Defendants”), as follows:

1 WHEREAS on August 13, 2010, the parties appeared before this Court for a Case
2 Management Conference, during which the Court ordered that Plaintiff should move for class
3 certification before January 14, 2011;

4 WHEREAS from August 20, 2010 to the beginning of November 2010, the parties met
5 and conferred in good faith in an attempt to resolve their discovery disputes and were unable to resolve
6 these disputes informally;

7 WHEREAS on November 16, 2010, Plaintiff filed a Motion to Compel Further
8 Discovery Responses from Defendant Countrywide Home Loans, Inc. (“Motion to Compel”);

9 WHEREAS on December 17, 2010, Magistrate Judge Grewal issued an order regarding
10 Plaintiff’s Motion to Compel in which Defendant Countrywide Home Loans, Inc. was ordered to
11 produce discovery, some of which relates to class certification by January 28, 2011;

12 WHEREAS on January 10, 2011, Defendant Countrywide Home Loans, Inc. filed Fed.
13 R. Civ. P. 72(a) objections to the Magistrate Judge’s order;

14 WHEREAS the parties met and conferred about a revised briefing schedule for class
15 certification and were unable to come to an agreement regarding a revised briefing schedule for the
16 filing;

17 WHEREAS, no party will be prejudiced by vacating the current January 14, 2010 filing
18 date;

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

21 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between
22 Plaintiff, by its undersigned counsel, and Defendants, by their undersigned counsel, that good cause
23 exists for vacating the class certification filing date of January 14, 2011, that the parties request that a
24 Case Management Conference be scheduled for January 21, 2011 at 10:30 a.m., and that the parties
25 submit a Joint Case Management Conference Statement by January 14, 2011.

26
27 Dated: January 11, 2011

Respectfully submitted,

/s/Jennie Lee Anderson

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*Attorneys for Defendant Countrywide Home
Loans, Inc*

1 **ORDER**

2 Based upon the parties' Stipulation and having found good cause therefore, I hereby ORDER
3 that the January 14, 2011 date by which Plaintiff was to file a motion for class certification is
4 VACATED and further order that the parties shall appear for a Case Management Conference at 10:30
5 a.m. on January 21, 2011. The parties shall submit a Joint Case Management Conference Statement
6 by January 14, 2011.

7
8 IT IS SO ORDERED.

9 Date: 1/11/2011
10 _____

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12 _____
13 Honorable Jeremy Fogel
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ECF CERTIFICATION

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

Dated: January 11, 2011

/s/ Jennie Lee Anderson
Jennie Lee Anderson

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on, I electronically filed the foregoing document with the Clerk of the
3 Court using the CM/ECF system which will send notification of such filing to the e-mail addresses
4 denoted on the attached Electronic Mail Notice List.

5 I certify under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct.

7
8 Dated: January 11, 2011

Respectfully submitted,

9
10 /s/ Jennie Lee Anderson
11 Jennie Lee Anderson

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