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9 *Attorneys for Plaintiff*

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

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

15 Plaintiff,

16 v.

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

20 Defendants.

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

**STIPULATION AND [PROPOSED]-
 ORDER EXTENDING TIME FOR
 PLAINTIFF TO FILE REPLY TO
 OPPOSITION OF MORTGAGE
 INVESTORS GROUP IN SUPPORT OF
 CORRECTED MOTION FOR CLASS
 CERTIFICATION**

Courtroom: 3 - 5th Floor
 Judge: Hon. Jeremy Fogel

1 **STIPULATION EXTENDING TIME FOR PLAINTIFF TO FILE REPLY TO OPPOSITION OF**
2 **MORTGAGE INVESTORS GROUP IN SUPPORT OF CORRECTED MOTION FOR CLASS**
3 **CERTIFICATION**

4 Pursuant to Civil Local Rules 6-2 and 7-12, plaintiff Jay Ralston (“Plaintiff”), and
5 defendants Mortgage Investors Group, Inc. and Mortgage Investors Group, a general partnership
6 (collectively, “MIG,” and, together with Plaintiff, the “Parties”), through their undersigned
7 counsel, stipulate as follows:

8 WHEREAS, on May 25, 2011, Plaintiff filed a Corrected Motion for Class Certification
9 (“Class Motion”) (Dkt. No. 243);

10 WHEREAS, on August 30, 2011, MIG filed an Opposition to the Class Motion (Dkt. No.
11 277);

12 WHEREAS, Plaintiff’s Reply in support of the Class Motion currently is due on
13 September 30, 2011 (Dkt. No. 254);

14 WHEREAS, on September 13, 2011, this Court moved the hearing date on the Class
15 Motion and CHL’s Motions from October 14, 2011 to December 9, 2011 (Dkt. No. 287);

16 WHEREAS, in light of the facts that the Court moved the hearing date and Plaintiff and
17 defendant Countrywide Home Loans, Inc. (“CHL”) filed a stipulation extending the due date for
18 Plaintiff to file its reply to the opposition of CHL to October 14, 2011 (Dkt. No. 295), Plaintiff
19 requested, and MIG agreed, to extend the time for Plaintiff to file his Reply to October 14, 2011;

20 WHEREAS, no trial date has been set;

21 WHEREAS, the requested time modifications will not have any effect on the schedule for
22 the case;

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

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between Plaintiff,
26 by his undersigned counsel, and MIG, by its undersigned counsel, that, subject to the approval of
27 the Court, Plaintiff shall file his Reply to MIG’s opposition in support of the Class Motion on or
28 before October 14, 2011.

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Respectfully submitted,

Dated: September 26, 2011

/s/ David M. Arbogast
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Attorneys for Plaintiff:
Jay Ralston

Dated: September 26, 2011

/s/ Roland P. Reynolds
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*Attorneys for Defendants
Mortgage Investors Group, Inc. and Mortgage
Investors Group, A General Partnership*

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 9/27/2011


Judge Jeremy Fogel

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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: September 26, 2011

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By: /s/Lee A. Weiss

Attorneys for Plaintiff

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PROOF OF SERVICE

I further 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 September 26, 2011.

/s/ Lee A. Weiss
Lee A. Weiss