

1 STEPHEN A. SCOTT (SBN 67467)  
 2 DARA M. TANG (SBN 231413)  
 3 HAYES SCOTT BONINO ELLINGSON & McLAY, LLP  
 203 Redwood Shores Parkway, Suite 480  
 4 Redwood City, CA 94065  
 Telephone: 650.637.9100  
 Facsimile: 650.637.8071

5 Attorneys for Defendants  
 CACH, LLC and VANESSA MARTINEZ

6  
 7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 JUANITA SWAIN, on behalf of herself and all  
 others similarly situation,  
 11  
 Plaintiff,  
 12  
 v.  
 13 CACH, LLC, HOLLINS SCHECHTER, LLP,  
 14 RUDY GABA and VANESSA MARTINEZ  
 15  
 Defendants.

Case No. C 08-05562 JW

**STIPULATION OF PLAINTIFF AND  
 DEFENDANTS CACH, LLC, AND  
 VANESSA MARTINEZ REGARDING  
 TIME TO RESPOND TO THE THIRD  
 AMENDED COMPLAINT; [PROPOSED]  
 ORDER OF THE COURT**

16  
 17  
 18 **STIPULATION OF THE PARTIES**

19 WHEREAS, on December 12, 2008, plaintiff Juanita Swain filed this present complaint in  
 20 the Northern District of California;  
 21 WHEREAS, on November 4, 2009, the court issued its ruling as to defendants' Motion to  
 22 Dismiss, granting said motion and dismissing the causes of action for (1) California Business and  
 23 Professions Code §17200 and (2) Unjust Enrichment;  
 24 WHEREAS, on November 9, 2009, plaintiff filed her Third Amended Complaint, with a sole  
 25 cause of action for Violation of the Federal Debt Collection Practices Act;  
 26 WHEREAS, pursuant to an agreement between the parties, defendants CACH, LLC and  
 27 Vanessa Martinez will file their responsive pleading to the Third Amended Class Action Complaint  
 28 no later than December 7, 2009.

234291

**STIPULATION OF THE PARTIES – CASE NO.: 2:09-cv-01178-WBS-KJM**

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

IT IS HEREBY STIPULATED, by and between plaintiff Juanita Swain and defendants CACH, LLC and Vanessa Martinez through their respective counsel, defendants CACH, LLC and Vanessa Martinez will file their responsive pleading to the Third Amended Complaint no later than December 7, 2009

Dated: November 24 2009

LAW OFFICES OF WILLIAM KENNEDY

By William E Kennedy  
WILLIAM E. KENNEDY  
Attorneys for Plaintiff  
JUANITA SWAIN

Dated: November 24 2009

HAYES SCOTT BONINO ELLINGSON & McLAY  
LLP

By Stephen A. Scott  
STEPHEN A. SCOTT  
DARA M. TANG  
Attorney for Defendants  
CACH, LLC and VANESSA MARTINEZ

~~PROPOSED~~ ORDER

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 THE STIPULATION OF THE PARTIES, IT IS HEREBY ORDERED THAT defendant CACH, LLC and Vanessa Martinez's responsive pleading to the Third Amended Complaint will be due no later than December 7, 2009.

Dated: November 24, 2009

  
United States District Judge