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14 Attorneys for Defendants:  
 EverBank a/k/a EverBank Direct a/k/a  
 15 EverBank Federal Savings Association;  
 EverBank Financial Corp; and EverBank  
 16 World Markets  
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18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN JOSE DIVISION**

21 EK VATHANA, individually and on behalf of  
 all others similarly situated,

Case No. 09-CV-02338-RS

22 Plaintiffs,

~~PROPOSED~~ **ORDER RESCHEDULING  
 INITIAL CASE MANAGEMENT  
 CONFERENCE AND EXTENDING  
 RELEVANT DEADLINES AND  
 PERMITTING THE PARTIES TO  
 PARTICIPATE IN THE CONFERENCE  
 BY TELEPHONE**

23 v.

24 EVERBANK a/k/a EVERBANK DIRECT  
 25 a/k/a EVERBANK FEDERAL SAVINGS  
 ASSOCIATION, EVERBANK FINANCIAL  
 26 CORP, EVERBANK WORLD MARKETS,  
 and DOES 1 to 25,

Courtroom: 4  
 Judge: Hon. Richard Seeborg


27 Defendants.  
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Upon consideration of the Joint Stipulation to Reschedule Initial Case Management Conference and Extend Relevant Deadlines and Request to Participate in the Conference by Telephone filed by plaintiff **Ek Vathana** and defendants **EverBank, EverBank Financial Corporation and EverBank World Markets** (collectively, "Defendants"), **IT IS HEREBY ORDERED** as follows:

1. The Initial Case Management Conference currently scheduled for October 28, 2009 will be rescheduled to November 18, 2009 at 2:30 p.m.
2. All relevant deadlines set forth in the Order setting the Initial Case Management Conference are extended in accordance with the new date for the Initial Case Management Conference.
3. The Parties may participate in the Initial Case Management Conference by telephone.

Dated: October 15, 2009

  
HON. RICHARD SEEBORG  
United States Magistrate Judge

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**PROOF OF SERVICE**

I hereby 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 this 6th day of October, 2009.

/s/ Deborah S. Birnbach  
Deborah S. Birnbach