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14 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 15 **SAN JOSE DIVISION**

16	JEFFREY SCHULKEN AND JENIFER	)	CASE NO. 5:09-cv-02708-LHK
17	SCHULKEN, individually and on behalf of a	)	
18	class of similarly situated individuals,	)	<b>STIPULATION AND PROPOSED</b>
	Plaintiffs,	)	<b>ORDER TO CONTINUE</b>
18	v.	)	<b>DISCOVERY DEADLINES</b>
19	WASHINGTON MUTUAL BANK,	)	
20	HENDERSON, NEVADA; JPMORGAN CHASE	)	Fifth Am. Complaint filed: 10/14/2011
21	BANK, N.A.,	)	Judge: Hon. Lucy H. Koh
	Defendants.	)	

22 WHEREAS, on October 13, 2011, the Court held a hearing on Plaintiffs’ Motion for  
 23 Class Certification which the Court took under advisement;

24 Whereas, on October 14, 2011, Plaintiffs Jeffrey and Jennifer Schulken (“Plaintiffs”)  
 25 filed their Fifth Amended Complaint, to which Defendant JPMorgan Chase Bank, N.A.  
 26 (“Defendant”) filed its Answer on October 28, 2011;

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1 WHEREAS, on November 21, 2011, the Parties filed a stipulation seeking a  
2 continuation of discovery deadlines. (Dkt. 173.) The basis for the stipulation was that the  
3 Parties were not certain as to what expert discovery may be needed or relevant following this  
4 Court's ruling on Plaintiffs' Motion for Class Certification. The stipulation sought, in the  
5 interest of judicial economy and so that the Parties could focus discovery on relevant matters  
6 only, a 45-day extension of discovery and related deadlines, pending the Court's  
7 consideration of the motion for class certification;

8 WHEREAS, on November 22, 2011, this Court entered an Order modifying the  
9 Parties' proposed stipulated schedule and setting the following dates:

10	Additional expert disclosures:	January 6, 2012
11	Additional rebuttal expert disclosures:	January 20, 2011
12	Discovery cut-off:	February 27, 2012
13	Deadline for additional dispositive motions:	March 5, 2012
14	Hearing on dispositive motions:	April 12, 2012, at 1:30 pm
15	Pretrial conference:	May 30, 2012, at 2:00 pm
16	Trial:	June 18, 2012, at 9:00 am. Trial length 17 is estimated at 10 days.

18 (Dkt. 174.)

19 WHEREAS, the Parties remain uncertain as to what expert discovery may be needed  
20 or relevant following this Court's ruling on Plaintiffs' Motion for Class Certification;

21 WHEREAS, the Parties continue to explore settlement possibilities with the  
22 knowledge and understanding that the Court is not inclined to continue the deadlines based on  
23 that reason alone;

24 WHEREAS, in the interest of judicial economy and so that the Parties may focus  
25 discovery on relevant matters only, the Parties seek an additional 30 day extension of certain  
26 of the relevant deadlines, and propose new deadlines as follows (without any change to the  
27 Pretrial Conference or Trial dates):  
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Additional expert disclosures:	February 3, 2012
Additional rebuttal expert disclosures:	February 17, 2012
Discovery cut-off:	March 28, 2012
Deadline for additional dispositive motions:	April 6, 2012
Hearing on dispositive motions:	May 17, 2012, at 1:30 pm
Pretrial conference:	May 30, 2012, at 2:00 pm
Trial:	June 18, 2012, at 9:00 am. Trial length is estimated at 10 days.

This Stipulation is made in good faith and not for the purposes of delaying this litigation.

1 Respectfully submitted,

3 Dated: December 30, 2011

4 By: /s/ Sean Reis

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10 *Attorneys for Plaintiffs,*  
11 JEFFREY AND JENIFER SCHULKEN

Dated: December 30, 2011

By: /s/ Victoria Collado

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**ORDER**

Pursuant to the stipulation,

IT IS SO ORDERED.

Dated: January 3, 2012

  
UNITED STATES DISTRICT JUDGE LUCY H. KOH