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

17	JEFFREY SCHULKEN AND JENIFER)	CASE NO. 5:09-cv-02708-LHK
18	SCHULKEN, individually and on behalf of a)	
19	class of similarly situated individuals,)	STIPULATION AND PROPOSED—
	Plaintiff,)	ORDER REGARDING EXTENSION
20	v.)	OF TIME TO FILE MOTION FOR
	WASHINGTON MUTUAL BANK,)	PRELIMINARY APPROVAL
21	HENDERSON, NEVADA; JPMORGAN CHASE)	Judge: Hon. Lucy H. Koh
22	BANK, N.A.,)	
	Defendants.)	
)	

1 WHEREAS, on February 5, 2012, this Court entered an order requiring Plaintiffs to
2 either file a motion for preliminary approval of a class settlement or to finalize and mail out
3 the class notice by March 7, 2012; and
4

5 WHEREAS, since February 5, 2012 the Parties have had several discussions
6 regarding settlement and held a further telephonic mediation session with Judge Wayne
7 Andersen on February 28, 2012; and
8

9 WHEREAS, through these efforts, on March 7, 2012, the Parties reached an
10 agreement in principle with respect to the relief to be made available to the Class and
11 Subclass members, and have exchanged a draft settlement agreement. The agreement with
12 respect to the class relief is contingent upon reaching an agreement on Plaintiffs' attorneys'
13 fees and costs, which is currently being negotiated;

14 WHEREAS, the Parties request an additional 7 days to continue their negotiations,
15 with the hope of reaching a final resolution on all matters;
16

17 WHEREAS, Chase provided Plaintiffs' counsel with a partial list of Class members
18 that Chase was able to identify, and has supplemented that list with a small number of
19 additional Class members identified through a manual review. While Chase diligently
20 continues its efforts to produce a complete list of Class members, the work of reviewing
21 approximately 23,000 HELOC contracts to determine whether borrowers meet the Class
22 definition has taken longer than expected. To identify Class members, Chase has searched its
23 imaged borrower files and extracted HELOC contracts for the approximately 23,000
24 borrowers potentially included in the class. In an effort to comply with the Court's March 7
25 deadline, Chase also hired a vendor to assist with the process of reviewing HELOC contracts.
26 Despite best efforts and working through the weekend to complete this process, Chase needs
27 an additional seven days to complete the process of identifying the Class members.
28

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

3
4 Respectfully submitted,

5
6 Dated: March 7, 2012

Dated: March 7, 2012

7 By: /s/ Steven L. Woodrow

By: /s/ LeAnn Pedersen Pope

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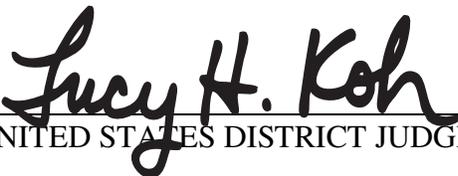
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ORDER

Pursuant to the stipulation,

IT IS SO ORDERED.

Dated: March 8, 2012


UNITED STATES DISTRICT JUDGE LUCY H. KOH