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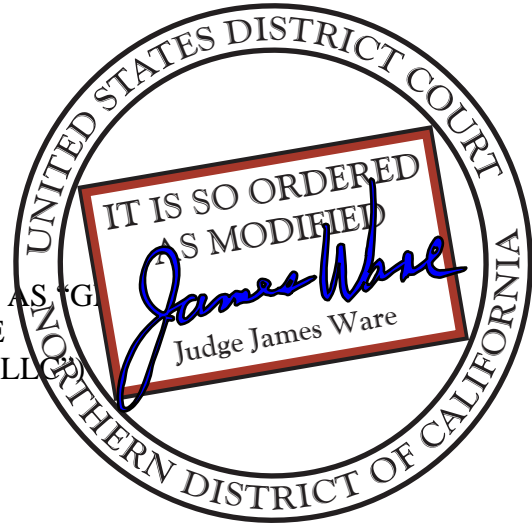
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10 Attorneys For Defendants

11 GMAC MORTGAGE, LLC (INCORRECTLY SUED AS “G

12 Mortgage Corporation”) and EXECUTIVE TRUSTEE

13 SERVICES, LLC (incorrectly sued as “ETS Services, LLC



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20 Attorney For Plaintiff

21 SALVATORE SANTANGELO

22 UNITED STATES DISTRICT COURT

23 NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

24 SALVATORE SANTANGELO,

25 Plaintiff,

26 vs.

27 METROCITIES MORTGAGE, LLC, *et al.*,

28 Defendants.

) CASE NO. C 09-03821 JW

) Hon. James Ware

) **STIPULATION TO EXTEND TIME**  
) **FOR PLAINTIFF TO FILE AMENDED**  
) **COMPLAINT**

) **AND ORDER CONTINUING CASE**  
) **MANAGEMENT CONFERENCE**

Locke Lord Bissell & Liddell LLP  
400 Capitol Mall, Suite 1460  
Sacramento, CA 95814

1 WHEREAS, on November 13, 2009, this Court entered an order (the “Order”) granting in  
2 part and denying in part the motions to dismiss Plaintiff Salvatore Santangelo’s complaint filed by  
3 Defendants GMAC Mortgage, LLC (incorrectly sued as “GMAC Mortgage Corporation”)  
4 (“GMACM”) and Executive Trustee Services, LLC (incorrectly sued as “ETS Services, LLC”)  
5 (“ETS”) and by Defendant Metrocities Mortgage, LLC dba No Red Tape Mortgage (“Metrocities”);

6 WHEREAS, the Order provided that Plaintiff has until December 4, 2009 to file an amended  
7 complaint;

8 WHEREAS, Plaintiff and Defendants GMACM and ETS have reached a settlement in  
9 principle that, once finalized, will result in the dismissal of Plaintiff’s complaint with prejudice as  
10 against GMACM and ETS;

11 WHEREAS, Plaintiff further has agreed to dismiss his complaint with prejudice as against  
12 Metrocities when the GMACM and ETS settlement is finalized;

13 WHEREAS, Plaintiff, GMACM and ETS require additional time to finalize and to execute  
14 the settlement documentation;

15 WHEREAS, the parties to this Stipulation agree to extend by 14 calendar days, to December  
16 18, 2009, the deadline for Plaintiff to file an amended complaint to allow the settlements described  
17 above to be finalized and the dismissals to be filed;

18 **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff, GMACM, ETS,  
19 and Metrocities, through their respective counsel, that Plaintiff shall have up to and including  
20 **December 18, 2009** to file an amended complaint in this matter.

21 Dated: December 3, 2009

LOCKE LORD BISSELL & LIDDELL LLP

22 By: /s/ Kristen H. Cerf

23 Thomas J. Cunningham (SBN 263729)

24 Kristen H. Cerf (SBN 244594)

25 One of the Attorneys for Defendants  
26 GMAC MORTGAGE, LLC (incorrectly sued as  
27 “GMAC Mortgage Corporation”) and EXECUTIVE  
28 TRUSTEE SERVICES, LLC (incorrectly sued as  
“ETS Services, LLC”)

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Dated: December 3, 2009

MICHAEL ROONEY LAW OFFICE

By: /s/ Michael Patrick Rooney  
Michael Patrick Rooney (SBN 248491)

Attorney for Plaintiff  
SALVATORE SANTANGELO

Dated: December 3, 2009

SMITH DOLLAR PC

By: /s/ Jon A.C. Vonder Haar  
Jon A.C. Vonder Haar (SBN 192665)

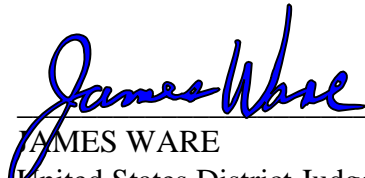
One of the Attorneys for Defendant  
Metrocities Mortgage, LLC dba No Red Tape  
Mortgage

1643654v.1

\*\*\* **ORDER** \*\*\*

In light of this Order and the parties' Stipulation to Reschedule Case Management Conference (Docket Item No. 34) to give the parties time to finalize their Settlement Agreement, the Court finds good cause to continue the Case Management Conference currently set for December 14, 2009 to **February 1, 2010 at 10 a.m.** On or before **January 22, 2010**, the parties shall either file a Stipulated Dismissal or a Joint Conference Statement. If a Stipulated Dismissal is on file, the Conference will be vacated.

Dated: December 8, 2009

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge