

**\*\* E-filed September 28, 2010 \*\***

1 **BRYAN CAVE LLP**  
 Tracy M. Talbot, California Bar No. 259786  
 2 Two Embarcadero Center, Suite 1410  
 Telephone: 415-675-3400  
 3 Facsimile: 415-675-3434  
 E-mail: tracy.talbot@bryancave.com

4 **BRYAN CAVE LLP**  
 5 Robert E. Boone III, California Bar No. 132780  
 120 Broadway, Suite 300  
 6 Santa Monica, CA 90401-2386  
 Telephone: 310-576-2100  
 7 Facsimile: 310-576-2200  
 Email: reboone@bryancave.com

8 Attorneys for Defendants  
 9 BANK OF AMERICA, N.A. and  
 BAC HOME LOANS SERVICING, LP

10  
 11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

BRYAN CAVE LLP  
 TWO EMBARCADERO CENTER, SUITE 1410  
 SAN FRANCISCO, CA 94111-3907

14 RAGHAV BHARGAVA and SANGEETA  
 BHARGAVA,

15  
 16 Plaintiffs,

17 vs.

18 BANK OF AMERICA, N.A. a National  
 Banking Association; BAC HOME LOANS  
 SERVICING, LP, a limited partnership; and  
 19 DOES 1-10 inclusive,

20 Defendants.

Case No. 5:10-cv-03423-HRL

Hon. Howard R. Lloyd

**JOINT STIPULATED REQUEST FOR  
 ORDER EXTENDING DEFENDANTS'  
 TIME TO RESPOND TO COMPLAINT  
 AND EXTENDING PRELIMINARY  
 INJUNCTION HEARING DATE,  
 BRIEFING SCHEDULE, AND  
 TEMPORARY RESTRAINING ORDER;  
~~PROPOSED~~ ORDER**

Complaint Filed: July 29, 2010  
 Trial Date: Not set

**[N.D. Local Rule 6-2]**

1 STIPULATION

2 Defendants Bank of America, N.A. and BAC Home Loans Servicing, LP (“Defendants”)  
3 and Plaintiffs Raghav Bhargava and Sangeeta Bhargava (“Plaintiffs”) (collectively the “Parties”),  
4 by and through their counsel of record, hereby stipulate and agree as follows:

5 1. Pursuant to the Parties’ previous stipulation, the Court entered its order dated  
6 August 26, 2010, extending Defendants’ time to respond to the Complaint to September 28, 2010.

7 2. The Parties have agreed on specific settlement terms and are working to  
8 memorialize such terms in a formal settlement agreement. Therefore, the Parties stipulate and  
9 hereby request this Court extend the time for Defendants to respond to the Complaint to October  
10 19, 2010, to allow sufficient time to finalize the settlement without incurring additional costs and  
11 fees associated with formally responding to the Complaint.

12 3. The OSC Re Preliminary Injunction issued and filed on July 22, 2010, in the  
13 lawsuit entitled *Bhargava, et al. v. Bank of America, N.A., et al.*, Santa Clara County Superior  
14 Court, Case No. 110CV177251 (the “State Court Action”), is scheduled for hearing in this Court  
15 on October 19, 2010, at 10:00 a.m.

16 4. Pursuant to the Parties’ previous stipulation, the Court entered its order on August  
17 26, 2010, setting forth the following briefing schedule for the OSC Re Preliminary Injunction:

- 18 a. Defendants shall file and serve their opposition brief to the OSC Re  
19 Preliminary Injunction on or before September 28, 2010.  
20 b. Plaintiffs shall file and serve their final reply brief with respect to the OSC  
21 Re Preliminary Injunction on or before October 5, 2010.

22 5. The Parties stipulate and hereby request this Court extend the preliminary  
23 injunction hearing date and briefing schedule as follows:

- 24 a. The preliminary injunction shall be scheduled for hearing in this Court on  
25 November 9, 2010, at 10:00 a.m.  
26 b. Defendants shall file and serve their opposition brief to the OSC Re  
27 Preliminary Injunction on or before October 19, 2010.  
28

BRYAN CAVE LLP  
TWO EMBARCADERO CENTER, SUITE 1410  
SAN FRANCISCO, CA 94111-9907

1 c. Plaintiffs shall file and serve their final reply brief with respect to the OSC  
2 Re Preliminary Injunction on or before October 26, 2010.

3 6. The Temporary Restraining Order ("TRO") signed and filed on July 22, 2010, in  
4 the State Court Action, and subsequently filed in this Court, shall remain in effect pending the  
5 preliminary injunction hearing scheduled in paragraph 5 above. Pursuant to the TRO, Defendants  
6 are restrained and enjoined from (a) selling, listing for sale, marketing or otherwise attempting to  
7 sell certain real property formerly owned by plaintiffs located at 11860 Francemont Avenue, Los  
8 Altos Hills, California (the "Property"); (b) informing any credit reporting agency or service of the  
9 foreclosure sale of the Property that occurred on June 21, 2010, pursuant to which defendant BAC  
10 Home Loans Servicing, LP, acquired title to the Property; and (c) attempting to evict or evicting  
11 plaintiffs from the Property.

12 7. The extensions of time requested herein would not result in prejudice to any party  
13 to this action or to this Court.

14 **IT IS SO STIPULATED.**

16 Dated: September 24, 2010

**MILLER STARR REGALIA**

17  
18  
19 By: Bruce Laidlaw  
Bruce Laidlaw  
Attorneys for Plaintiffs  
RAGHAV BHARGAVA and SANGEETA  
20 BHARGAVA  
21

22 Dated: September 24, 2010

**BRYAN CAVE LLP**  
Robert E. Boone, III, Esq.  
Tracy M. Talbot, Esq.  
23  
24  
25 By: Tracy M. Talbot  
Tracy M. Talbot  
Attorneys for Defendants  
26 BANK OF AMERICA, N.A. and  
27 BAC HOME LOANS SERVICING, LP  
28

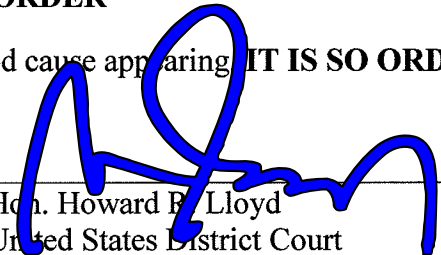
BRYAN CAVE LLP  
TWO EMBARCADERO CENTER, SUITE 1410  
SAN FRANCISCO, CA 94111-3907

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

~~PROPOSED~~ ORDER

Pursuant to the foregoing Stipulation, and good cause appearing **IT IS SO ORDERED.**

September 28, 2010



---

Hon. Howard B. Lloyd  
United States District Court  
Northern District of California