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11 *Attorneys for Plaintiffs and the Class*

12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**

16 HAROLD HIGGINBOTTOM, dba  
 HIGGINBOTTOM FLOOR COVERING,  
 17 an individual; on behalf of himself and all  
 others similarly situated,  
 18 Plaintiff,  
 19 v.  
 20 U.S. BANCORP, a Delaware  
 Corporation; U.S. BANK, NATIONAL  
 21 ASSOCIATION; LYON FINANCIAL  
 SERVICES, INC., a Minnesota  
 22 Corporation, dba U.S. BANCORP  
 MANIFEST FUNDING SERVICES,  
 23 Defendants.  
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Case No. CV-10-4593 EJD

**STIPULATION AND REQUEST TO  
 STAY CASE-RELATED  
 DEADLINES; ~~PROPOSED~~  
 ORDER**

Judge: Hon. Edward J. Davila




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**STIPULATION AND REQUEST TO STAY CASE-RELATED DEADLINES;  
 [PROPOSED] ORDER; Case No. CV-10-4593 EJD**

1 **TO THE COURT AND ALL COUNSEL OF RECORD:**

2 Pursuant to Northern District Civil Local Rule 6-2, Plaintiff Harold Higginbottom  
3 and Defendants U.S. Bancorp, U.S. Bank, National Association, and Lyon Financial  
4 Services, Inc. (collectively, "Defendants"), through their attorneys, hereby stipulate and  
5 request that the deadline for Plaintiff to file his First Amended Complaint be extended to  
6 June 15, 2011.

7 The original deadline to file the First Amended Complaint was May 25, 2011. An  
8 extension of until June 1, 2011 was granted by the Court. The Parties have been in  
9 settlement discussions all the while and reached terms of a Settlement Agreement. The  
10 Parties have agreed to the terms of a settlement that are being reduced to writing.  
11 Accordingly, the Parties are requesting a stay of case-related deadlines, including  
12 discovery deadlines and the deadline to file a First Amended Complaint up to and through  
13 June 15, 2011. A stay of all case-related deadlines until June 15, 2011 will not affect any  
14 other deadlines already fixed by this Court.

15  
16 **IT IS SO STIPULATED AND AGREED.**

17 Dated: May 31, 2011

**COTCHETT, PITRE & McCARTHY, LLP**

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By:                   /s/ Anne Marie Murphy                    
ANNE MARIE MURPHY  
*Attorneys for Plaintiff*

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22 Dated: May 31, 2011

**MORRISON & FOERSTER LLP**

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By:                   /s/ Rebecca S. Saelao                    
REBECCA S. SAELAO  
*Attorneys for Defendants U.S. Bancorp,  
U.S. Bank, National Association, and  
Lyon Financial Services, Inc.*

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~~PROPOSED~~ ORDER

Pursuant to the Parties' Stipulation and Request, IT IS ORDERED that all case-related deadline are stayed, including the deadline for Plaintiff to file his First Amended Complaint, up to and including June 15, 2011.

DATE: June 2, 2011



Hon. Edward J. Davila