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7 Attorneys for Defendants
 FIA Card Services, N.A., and
 8 Bank of America Corporation

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

REED SMITH LLP
 A limited liability partnership formed in the State of Delaware

STEPHENIE ROSE, on behalf of herself and
 all others similarly situated,

Plaintiffs,

vs.

BANK OF AMERICA CORPORATION,
 and FIA CARD SERVICES, N.A.,

Defendants.

Case No.: 5:11-cv-02390 EJD

**JOINT STATEMENT REGARDING
 STATUS OF MEDIATION AND
 SETTLEMENT DISCUSSIONS AND
 [PROPOSED] ORDER CONTINUING
 CASE MANAGEMENT CONFERENCE**

Date: December 7, 2012
 Time: 10:00 a.m.
 Crtm: 4
 The Honorable Edward J. Davila

1 Plaintiff Stephenie Rose, on behalf of herself and all others similarly situated (“Plaintiff”)
2 and defendants FIA Card Services, N.A. and Bank of America Corporation (“Defendants”)
3 (collectively, the “Parties”) hereby submit this joint statement regarding the status of mediation and
4 settlement discussions.

5
6 On October 10, 2012, this Court entered an Order continuing the November 9, 2012, Case
7 Management Conference to December 7, 2012, at 10:00 a.m., and requested that the Parties file a
8 joint statement advising the Court of the status of mediation and settlement discussions no later than
9 November 30, 2012 (Dkt. 40). On October 23, 2012, the Parties participated in their first full-day
10 mediation session before the Honorable Edward A. Infante (Ret.). Since that time, the parties have
11 engaged in further voluntary discovery, including service of an additional set of interrogatories,
12 requests for production of documents, and a Rule 30(b)(6) deposition notice to Defendants;
13 additional document production; and scheduling multiple Rule 30(b)(6) depositions. The Parties
14 have scheduled a second full-day mediation session before Judge Infante on January 23, 2013.
15

16 The Parties respectfully request that the Court set a further Case Management Conference at
17 a date and time following January 23, 2013, to allow the parties to continue to engage in mediation
18 and report to the Court on mediation efforts.
19

20 DATED: November 29, 2012

REED SMITH LLP

21
22 By: /s/ Matthew J. Brady

23 Marc A. Lackner
24 David S. Reidy
25 Matthew J. Brady
26 Attorneys for Defendants
27 FIA Card Services, N.A. and
28 Bank of America Corporation

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DATED: November 30, 2012

LAW OFFICES OF DOUGLAS J CAMPION

By: /s/ Douglas James Campion
Douglas James Campion
Attorney for Plaintiff
Stephenie Rose

DATED: November 30, 2012

LIEF CABRASER HEIMANN & BERNSTEIN
LLP

By: /s/ Jonathan Selbin
Jonathan Selbin
Attorneys for Plaintiff
Stephenie Rose

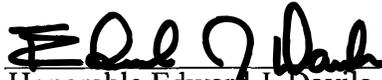
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~~PROPOSED~~ ORDER

The December 7, 2012, case management conference is **CONTINUED** to
February 15, 2013, at 10:00 AM/PM. The Parties shall file a joint statement advising
the Court of the status of mediation and settlement discussions no later than February 8,
2013.

SO ORDERED:

DATED: December 4, 2012

By: 
Honorable Edward J. Davila
United States District Court Judge