

United States District Court
For the Northern District of California

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

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

CASE NOS. 5:11-cv-02390 EJD;
5:11-cv-04009 EJD

Plaintiff(s),

v.

**ORDER CLARIFYING ORDER
REQUIRING APPEARANCE AT STATUS
CONFERENCE**

BANK OF AMERICA CORPORATION, et.
al.,

Defendant(s).

CAROL DUKE, et. al., on behalf of herself
and all others similarly situated;

Plaintiff(s),

v.

BANK OF AMERICA, N.A., et. al.,

Defendant(s).

With respect to the order requiring counsel’s appearance at the status conference scheduled for September 13, 2013 (see Docket Item No. 53 in 5:11-cv-02390 EJD; Docket Item No. 39 in 5:12-cv-04009 EJD), the court clarifies that *one* attorney on behalf of each party in each case must appear personally. The court does not require the personal appearance of all counsel for each party.

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As to the status conference, counsel shall be prepared to:

(1) explain why a Motion for Preliminary Approval has not yet been filed despite the court's instructions, on several occasions, that one be filed;

(2) propose a final deadline for the filing of a Motion for Preliminary Approval in no less than 30 days from the date of the conference, which if not met, will result in these actions either being dismissed or restored to court's active case calendar on an expedited case schedule determined solely by the court.

IT IS SO ORDERED.

Dated: September 12, 2013


EDWARD J. DAVILA
United States District Judge