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7	Attorneys for Plaintiffs and the Proposed Class	
8	[Additional Counsel Appear on Signature Page]	
9	UNITED STATES DI FOR THE NORTHERN DIST	
10		
11	STEPHENIE ROSE, on behalf herself and all others similarly situated,	
12	•	NO. 5:11-cv-02390 EJD
13	Plaintiff,	CLASS ACTION
14	V.	STIPULATION AND
15	BANK OF AMERICA CORPORATION, and FIA CARD SERVICES, N.A.,	[PROPOSED] ORDER EXPEDITING HEARING ON
		UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF
16	Defendants.	CLASS ACTION SETTLEMENT
17	CAROL DUKE AND JACK POSTER, on	
18	behalf of themselves and all others similarly	NO. 5:11-cv-04009 EJD
19	situated,	
20	Plaintiffs,	CLASS ACTION
21	v.	
22	BANK OF AMERICA, N.A.; BANK OF	
23	AMERICA CORPORATION; AND FIA CARD SERVICES, N.A.,	
24		
25	Defendants.	
26		
27		
	STIPULATION AND [PROPOSED] ORDER EXPEDITIN HEARING ON UNOPPOSED MOTION FOR PRELIMINA APPROVAL OF CLASS ACTION SETTLEMENT - 1 CASE NO. CV 11 02390 EJD CASE NO. 5:11-CV-04009 EJD	

WHEREAS the parties have reached a proposed Settlement of this class action lawsuit
 that is intended to resolve all claims in the above-entitled case, as well as all claims in the
 related case *Duke v. Bank of Am.*, Case No. 5:12-cv-04009 (N.D. Cal.) and claims in the
 following similar Actions: *Ramirez v. Bank of Am.*, N.A., Case No. 11-cv-02008 (S.D. Cal.);
 Johnson v. Bank of Am., N.A., Case No. 11-cv-3040 LAB (S.D. Cal.); *Makin v. Bank of Am.*,
 N.A., Case No. 12-cv-1662 LAB (S.D. Cal.); and *Bradshaw v. Bank of Am. Corp.*, 13-CV-0431
 LAB RBB (S.D. Cal.).

8 WHEREAS, Plaintiffs filed an Unopposed Motion for Preliminary Approval of Class
9 Action Settlement ("Motion for Preliminary Approval") (Dkt. No. 59) on September 27, 2013.

WHEREAS, the hearing regarding the Motion for Preliminary Approval is currentlyscheduled for February 28, 2014.

WHEREAS, if the Court grants preliminary approval, 6,261,588 Class Members will
 receive notice of the terms of the Settlement through First-Class postcards.

WHERAS, on January 26, 2014, the cost to mail First-Class postcards will increase byone cent.

WHEREAS, by expediting the Preliminary Approval Hearing so the mailing occurs
prior to the rate increase the Parties can save the Class \$62,615.88 in notice costs.

WHEREAS, the Parties will make themselves available at the Court's convenience for the Preliminary Approval hearing on any weekday, including before or after regular court sessions. The weeks of October 21, October 28, and November 4 are especially convenient for the Parties and would provide the Claims Administrator sufficient time to ensure the mailing can be sent early enough to avoid the rate increase.

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I. STIPULATION

The Parties agree that expediting the Preliminary Approval hearing in order to save the Class \$62,615.88 in notice costs is in the best interest of the Class and will make themselves available at the Court's convenience for an expedited hearing.

STIPULATION AND [PROPOSED] ORDER EXPEDITING HEARING ON UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT - 2 CASE NO. CV 11 02390 EJD CASE NO. 5:11-cv-04009 EJD

1	STIPULATED, DATED AND RESPECTFULLY SUBMITTED this 7th day of		
2	October, 2013.		
3 4	LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP	REED SMITH LLP	
5	By: <u>/s/ Douglas I. Cuthbertson, <i>Pro Hac Vice</i></u>	By: <u>David S. Reidy, SBN #225904</u>	
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23	LIEFF, CABRASER, HEIMANN		
24	& BERNSTEIN, LLP 275 Battery Street, 29th Floor		
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26	Facsimile: (415) 956-1008		
27	STIPULATION AND [PROPOSED] ORDER EXPEDIT HEARING ON UNOPPOSED MOTION FOR PRELIMI APPROVAL OF CLASS ACTION SETTLEMENT - 3 CASE NO. CV 11 02390 EJD		

CASE NO. 5:11-CV-04009 EJD

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15	Telephone: (614) 224-6000 Facsimile: (614) 224-6066	
16	Attorneys for Plaintiffs and the Proposed	
17	Class	
18	II. [PROPOSED] ORDER	
19	Based on the foregoing stipulation of the parties,	
20	IT IS HEREBY ORDERED that the Preliminary Approval hearing currently scheduled	
21	for February 28, 2014 shall be expedited and rescheduled to November 8, 2013, at 9:00 a.m.	Į
22	IT IS FURTHER ORDERED that, going forward, the parties must file documents in both	
23	case numbers to the extend such documents apply to both case numbers becaus cases are related, stand-alone cases and have not been consolidated.	e these
24	DATED: October 11, 2013	
25	UNITED STATES DISTRICT JUDGE	
26		
27	STIPULATION AND [PROPOSED] ORDER EXPEDITING HEARING ON UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT - 4 CASE NO. CV 11 02390 EJD CASE NO. 5:11-CV-04009 EJD	