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CREDITOR'S INTERCHANGE,  
7 RECEIVABLE MANAGEMENT, LLC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

11 CHRISTOPHER CALUB,  
12 Plaintiff,

13 vs.

14 CREDITOR'S INTERCHANGE,  
15 RECEIVABLE MANAGEMENT, LLC.,  
MS. BAKER, MS. JORDAN and DOES 1-10,  
16 Defendants.

CASE NO. CV 12-00524 LHK

**STIPULATION TO CONTINUE  
DEADLINE FOR DEFENDANT TO FILE  
OPPOSITION TO PLAINTIFF'S  
MOTION TO STRIKE AND FOR  
PLAINTIFF TO FILE A REPLY AND TO  
EXTEND TIME TO SERVE INDIVIDUAL  
DEFENDANTS WITH SUMMONS AND  
COMPLAINT; DECLARATIONS OF  
LARISSA G. NEFULDA AND RONALD  
WILCOX IN SUPPORT THEREOF;  
[PROPOSED] ORDER**

Trial Date: None Set

19 IT IS HEREBY STIPULATED by and between the parties to this action, through their  
20 respective counsel of record, as follows:

21 Defendant Creditor's Interchange and Receivable Management, LLC's (hereinafter  
22 referred to as "Defendant") deadline to file an opposition to Plaintiff's Motion to Strike  
23 Affirmative Defenses ("Motion to Strike"), currently scheduled to be heard on July 19, 2012, at  
24 1:30 p.m., shall be continued from April 18, 2012 to **April 25, 2012**, and Plaintiffs' deadline to  
25 file a Reply Brief shall be continued from April 25, 2012 to **May 9, 2012**.

26 Good cause exists to grant the requested continuance based on the fact that Defendant's  
27 counsel, Stephen H. Turner, currently has a medical condition limiting his ability to work, and, as

28 4810-9409-7167.1

CV 12-00524 LHK

STIPULATION TO CONTINUE DEADLINE FOR DEFENDANT TO FILE OPPOSITION TO PLAINTIFF'S  
MOTION TO STRIKE AND AND FOR PLAINTIFF TO FILE REPLY BRIEF, DECLARATION OF LARISSA B.  
NEFULDA IN SUPPORT THEREOF

1 a result, Defendant is unable to meet the current deadline of April 18, 2012, to file an opposition to  
2 Plaintiff's Motion to Strike. Furthermore, Plaintiff's counsel is out of state in late April.

3 Defendants have indicated that individual Defendants, named as Ms. Jordan and Ms.  
4 Baker, are actually Hadassah Jordan and Demara Baker. Thus, the parties stipulate that Complaint  
5 can be amended to reflect the individual defendants' correct names. Future pleadings filed with  
6 the Court will reflect the correct names of the individuals.

7 Furthermore, the parties stipulate Plaintiff shall have until June 30, 2012 to serve  
8 Defendant Demara Baker with the Summons and Complaint. Defendant's counsel is not  
9 authorized to accept service for Ms. Baker; nor has Defendant provided her last known address or  
10 telephone numbers in its initial disclosures. However, Plaintiff has identified some address  
11 information and is attempting to have Ms. Baker served. Thus good cause exists to extend the time  
12 to serve Ms. Baker. Defendant's counsel is authorized to accept service for Hassadah Jordan, and  
13 hereby stipulates Ms. Jordan has been served on April 18, 2012 (via counsel's previous receipt of  
14 the Summons and Complaint), and will file an answer within the time allowed under Fed. R. Civ.  
15 P.

16 IT IS SO STIPULATED this 18<sup>th</sup> day of April, 2012.

17  
18 DATED: April 18, 2012

RONALD WILCOX, ESQ.

19  
20 By: /s/ Ronald Wilcox  
Ronald Wilcox  
21 Attorney for Plaintiff Christopher Calub

22  
23 DATED: April 18, 2012

LEWIS BRISBOIS BISGAARD & SMITH LLP

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25 By: /s/ Larissa G. Nefulda  
26 Stephen H. Turner  
Larissa Nefulda  
27 Attorney for Defendant Creditor's Interchange  
Receivable Management, LCC

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CV 12-00524 LHK

STIPULATION TO CONTINUE DEADLINE FOR DEFENDANT TO FILE OPPOSITION TO PLAINTIFF'S  
MOTION TO STRIKE AND FOR PLAINTIFF TO FILE REPLY BRIEF, DECLARATION OF LARISSA B.  
NEFULDA IN SUPPORT THEREOF

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~~Proposed~~ ORDER

The Court adopts the stipulation of the parties.

IT IS SO ORDERED.

Date:



HON. LUCY KOH  
U.S. DISTRICT COURT JUDGE

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**DECLARATION OF LARISSA G. NEFULDA**

I, Larissa G. Nefulda declare as follows:

1. I am an attorney at law, duly licensed to practice before all of the courts in the State of California and am a partner with the law firm of Lewis Brisbois Bisgaard & Smith, LLP, attorneys for Defendant, CREDITOR’S INTERCHANGE, RECEIVABLE MANAGEMENT, LLC (“Defendant”) herein and am familiar with the issues in this case.

2. The deadline to file an Opposition to Plaintiff’s Motion to Strike Affirmative Defenses (“Motion to Strike”), currently scheduled to be heard on July 19, 2012, at 1:30 p.m., is April 18, 2012. The deadline to file the Reply is April 25, 2012. I met and conferred with Plaintiff’s counsel, Ron Wilcox, to seek an extension of the deadline to file an Opposition to **April 25, 2012**. I agreed to extend Plaintiff’s deadline to file a Reply to **May 9, 2012**. Mr. Wilcox had no objections.

3. Good cause exists to grant the requested continuance based on the fact that Defendants’ counsel, Stephen H. Turner, currently has a medical condition limiting his ability to work, and, as a result, Defendant is unable to meet the current deadline of April 18, 2012, to file an opposition to Plaintiff’s Motion to Strike. Furthermore, Plaintiff’s counsel advised me that he will be out of state in late April.

4. The stipulated continuance will not impact the hearing of the Motion to Strike, which is, as indicated, scheduled to be heard on July 19, 2012.

5. I informed Mr. Wilcox that individual Defendants, named as Ms. Jordan and Ms. Baker in the Complaint, are actually Hadassah Jordan and Demara Baker.

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**DECLARATION OF RONALD WILCOX**

I, RONALD WILCOX, declare as follows:

1. I am an attorney at law, duly licensed to practice before all of the courts in the State of California. I am counsel to Plaintiff.

2. Defendant contacted me seeking to alter he briefing schedule regarding Plaintiff's Motion to Strike. I agreed to such schedule as long as I am no prejudice since I will be out-of-state during the briefing schedule. We reached an agreement regarding such.

3. I am attempting to serve the un-served Defendant (Ms. Baker) with a Summons and Complaint. It is more difficult since Defendant has not provided contact information. I respectfully request an extension of time to serve the un-served Defendant. Defendant has agreed to an extension until June 30, 2012.

I declare, under penalty of perjury, under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on this 18th day of April, 2012, at San Jose, California.

/s/Ronald Wilcox  
Ronald Wilcox