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6 **Attorneys for Defendant**  
**CITIMORTGAGE, INC. (erroneously sued as**  
 7 **"CITIMORTGAGE, INC., successor in interest to**  
**PREFERRED FINANCIAL GROUP, INC., formerly a**  
 8 **California Corporation, doing business as**  
**WWW.WHOLESALE LENDINGONLINE.COM")**  
 9

10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA**  
 12 **SAN JOSE DIVISION**

13 **SHARON R. BROWN,**

14 **Plaintiff,**

15 **v.**

16 **CITIMORTGAGE, INC., a New York corporation,**  
 17 **successor in interest to PREFERRED FINANCIAL**  
**GROUP, INC., formerly a California corporation,**  
 18 **doing business as WWW**  
**WHOLESALE LENDINGONLINE.COM; QUALITY**  
 19 **LOAN SERVICE CORPORATION, a California**  
 20 **corporation; and all persons or entities unknown**  
 21 **claiming any legal or equitable right, title, estate,**  
**lien or interest in the property described in this**  
**complaint adverse to Plaintiff's title thereto, and**  
**DOES 1 through 25, inclusive,**

22 **Defendants.**

Case No.: 5:12-01152 RMW

**STIPULATION AND [PROPOSED]**  
**ORDER TO CONTINUE THE CASE**  
**MANAGEMENT CONFERENCE; AND TO**  
**CONTINUE THE MOTION BY**  
**DEFENDANT CITIMORTGAGE, INC. TO**  
**DISMISS PLAINTIFF'S FIRST AMENDED**  
**COMPLAINT;**

Current Hearing Date:

Date: August 24, 2012

Time: 9:00 a.m. & 10:30 a.m., respectively

Place: Courtroom 6, 4<sup>th</sup> Floor

Hon. Ronald M. Whyte

24 **COME NOW Defendants CITIMORTGAGE, INC. (erroneously sued as**  
 25 **"CITIMORTGAGE, INC., successor in interest to PREFERRED FINANCIAL GROUP, INC.,**  
 26 **formerly a California Corporation, doing business as WWW.WHOLESALE**  
 27 **LENDINGONLINE.COM") ("CMI"), and VERICREST FINANCIAL, INC. ("VFI"), and Plaintiff**  
 28 **SHARON R. BROWN ("Plaintiff") (collectively, "the Parties"), and hereby stipulate as follows:**





1 WHEREAS, the Court scheduled a case management conference for August 24, 2012;  
2 WHEREAS, the motion of Defendant CMI to dismiss Plaintiff's first amended complaint is  
3 currently set for August 24, 2012;  
4 WHEREAS, counsel for Defendant CMI has recently acquired an unavoidable conflict on the  
5 date of August 24, 2012, and can no longer attend hearings in this matter on that date.  
6 WHEREAS, the Parties request a continuance of the case management conference;  
7 WHEREAS, the Parties request a continuance of CMI's motion to dismiss Plaintiff's first  
8 amended complaint;  
9 WHEREAS, the parties agree that such continuances will facilitate ongoing discussions  
10 pertaining to potential resolution of the action.  
11 NOW, THEREFORE, the Parties stipulate and agree that the Court's case management  
12 conference shall be continued for approximately sixty (60) days to Friday, November 2, 2012, or  
13 another date thereafter that is convenient for the Court. The Parties further stipulate that all  
14 deadlines dependent upon the case management conference date shall comport with the continued  
15 case management conference date.  
16 FURTHERMORE, the Parties stipulate that the hearing on the motion by CMI to dismiss  
17 Plaintiff's first amended complaint, shall be heard approximately (2) weeks prior to the case  
18 management conference, on or about October 19, 2012, or another such date that is available on the  
19 Court's calendar prior to November 2, 2012.

20 IT IS SO STIPULATED.

21 DATED: August 16, 2012

WOLFE & WYMAN LLP

22  
23 By: /s/ Joshua M. Bryan SBN 225230

BRIAN H. GUNN

JOSHUA M. BRYAN

Attorneys for Defendant

24 **CITIBANK, NATIONAL ASSOCIATION, as**  
25 **successor by merger to Citibank (South Dakota),**  
26 **N.A**  
27  
28



1  
2 DATED: August \_\_\_\_, 2012

CONSUMER LITIGATION LAW CENTER, APC

3  
4 By: \_\_\_\_\_  
5 SEPTEMBER J. KATJE, ESQ.  
6 Attorneys for Plaintiff  
7 SHARON R. BROWN

8  
9 DATED: August 16, 2012

TROYGOULD PC

10 By: Ann Marie Mori  
11 ANNMARIE MORI, ESQ.  
12 Attorneys for Defendant  
13 VERICREST FINANCIAL, INC.

14 **ORDER**

15 The Court, having reviewed the stipulation and [proposed] order to continue the case  
16 management conference and the motion by CITIMORTGAGE, INC. to dismiss Plaintiff's first  
17 amended complaint, and good cause appearing therefore, makes the following Order:

18 The case management conference currently scheduled for August 24, 2012 at 9:00 a.m., is  
19 hereby continued to \_\_\_\_\_, and all deadlines contained in the Court's "Order  
20 Setting initial Case Management Conference and ADR Deadlines" shall comport with the continued  
21 Case Management Conference date.

22 In addition, the motion by defendant CITIMORTGAGE, INC. to dismiss Plaintiff's first  
23 amended complaint shall be continued to \_\_\_\_\_.

24 IT IS SO ORDERED.

25 Dated: \_\_\_\_\_

26 HON. RONALD M. WHYTE  
27 U.S. DISTRICT COURT JUDGE

1 DATED: August 17, 2012

CONSUMER LITIGATION LAW CENTER, APC

2  
3 By: /s/ September J. Katje (with authorization)

SEPTEMBER J. KATJE, ESQ.

4 Attorneys for Plaintiff

5 SHARON R. BROWN

6 DATED: August 17, 2012

TROYGOULD PC

7  
8 By: \_\_\_\_\_

ANNMARIE MORI, ESQ.

9 Attorneys for Defendant

10 VERICREST FINANCIAL, INC.

11 **ORDER**

12  
13 The Court, having reviewed the stipulation and ~~proposed~~ order to continue the case  
14 management conference and the motion by CITIMORTGAGE, INC. to dismiss Plaintiff's first  
15 amended complaint, and good cause appearing therefore, makes the following Order:

16 The case management conference currently scheduled for August 24, 2012 at 9:00 a.m., is  
17 hereby continued to \_\_\_\_\_, and all deadlines contained in the Court's "Order  
18 Setting initial Case Management Conference and ADR Deadlines" shall comport with the continued  
19 Case Management Conference date.

20 In addition, the motion by defendant CITIMORTGAGE, INC. to dismiss Plaintiff's first  
21 amended complaint shall be continued to \_\_\_\_\_.

22 IT IS SO ORDERED.

23  
24 Dated: \_\_\_\_\_

*Ronald M. Whyte*

25 HON. RONALD M. WHYTE  
26 U.S. DISTRICT COURT JUDGE  
27  
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