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7 Attorneys for Defendant  
 WELLS FARGO BANK, N.A., AS TRUSTEE FOR CERTIFICATE HOLDERS OF BANC OF  
 8 AMERICA FUNDING CORPORATION MORTGAGE PASS THROUGH CERTIFICATES,  
 SERIES 2007-E

9  
 10 **UNITED STATES DISTRICT COURT**  
 11 **NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

BRYAN CAVE LLP  
 333 MARKET STREET, 25<sup>TH</sup> FLOOR  
 SAN FRANCISCO, CA 94105

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 14 SIMON Y. KWONG and SUZANNE Y.  
 KWONG,

15 Plaintiffs,

16 vs.

17 WELLS FARGO BANK, N.A., AS  
 TRUSTEE FOR CERTIFICATE HOLDERS  
 18 OF BANC OF AMERICA FUNDING  
 CORPORATION MORTGAGE PASS  
 19 THROUGH CERTIFICATES, SERIES 2007-  
 E,

20  
 21 Defendant.

Case No.: 12-CV-01362-LHK

**STIPULATION AND [PROPOSED]  
 ORDER EXTENDING TIME TO  
 COMPLETE MEDIATION**

**ADR L.R. 5-5(b)**

Complaint Filed: March 19, 2012  
 FAC Filed: June 12, 2012  
 Trial Date: Not Yet Assigned  
 Judge: Lucy H. Koh

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**STIPULATION**

This Stipulation is entered into by Plaintiffs SUZANNE Y. KWONG and SIMON Y. KWONG (“Plaintiffs”) and Defendant WELLS FARGO BANK, N.A., AS TRUSTEE FOR CERTIFICATE HOLDERS OF BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2007-E (“Defendant”), by and through their respective attorneys of record.

WHEREAS, on August 17, 2012, this Court entered an Order referring this case to early neutral evaluation;

WHEREAS, on September 26, 2012, the ADR unit appointed Charles Miller as Evaluator;

WHEREAS, on October 12, 2012, the parties engaged in telephone conference with Mr. Miller;

WHEREAS, a hearing on Defendants’ Motion to Dismiss Plaintiffs’ Complaint is set for November 29, 2012;

WHEREAS, a hearing on Plaintiffs’ counsel’s Motion to Withdraw as Attorney of Record is also set for November 29, 2012;

WHEREAS, a case management conference is also set for November 29, 2012;

WHEREAS, Plaintiffs and Defendant agree that they would like additional time to schedule and complete early neutral evaluation;

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NOW, THEREFORE, Plaintiffs and Defendant desire and hereby **STIPULATE** that they shall have until, and including, 60 days after the Court’s final ruling on Defendant’s Motion to Dismiss is entered to complete early neutral evaluation.

**IT IS SO STIPULATED.**

Dated: November 13, 2012

**Michael Yesk**

By:  /s/ Michael Yesk  
Michael Yesk  
Attorney for Plaintiffs  
SIMONY Y. and SUZANNE Y. KWONG

Dated: November 13, 2012

**BRYAN CAVE LLP**  
Michael J. Peng

By:  /s/ Michael J. Peng  
Michael J. Peng  
Attorneys for Defendant  
WELLS FARGO BANK, N.A., AS TRUSTEE  
FOR CERTIFICATE HOLDERS OF BANC OF  
AMERICA FUNDING CORPORATION  
MORTGAGE PASS THROUGH CERTIFICATES,  
SERIES 2007-E

1 **PROPOSED** ORDER

2 Having reviewed the stipulation of Plaintiffs SIMONY Y. and SUZANNE Y. KWONG  
3 (“Plaintiffs”) and Defendant WELLS FARGO BANK, N.A., AS TRUSTEE FOR CERTIFICATE  
4 HOLDERS OF BANC OF AMERICA FUNDING CORPORATION MORTGAGE PASS  
5 THROUGH CERTIFICATES, SERIES 2007-E (“Defendant”), and good cause appearing,

6 **IT IS HEREBY ORDERED THAT** Plaintiffs and Defendant shall have until, and  
7 including, 60 days following the Court’s ruling on Defendants’ Motion to Dismiss (currently  
8 scheduled for hearing on November 29, 2012) to complete the early neutral evaluation session.

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10 Dated: November

11 BRYAN CAVE LLP  
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