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8 Attorneys for Defendant ING Bank FSB erroneously named as CAPITAL ONE, N.A.,
 9 successor in interest to ING BANK FSB

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

12	GEETESH GOYAL,)	CASE NO.: CV 12-02759 RMW
13	Plaintiff,)	
14	vs.)	STIPULATION RE CONTINUANCE
15	CAPITAL ONE, N.A., successor in)	OF DISCOVERY CUTOFF DATE,
16	interest to ING BANK, FSB;)	DISPOTIVE MOTION HEARING
17	INTEGRATED LENDER SERVICES,)	CUT OFF DATE AND TRIAL DATE;
18	INC.; and DOES 1 through 100, inclusive)	□ ORDER THEREON
19	Defendants.)	
)	

20 **TO THE HONORABLE COURT:**

21 Plaintiff GEETESH GOYAL (“GOYAL”) and Defendant ING Bank FSB
 22 erroneously named as CAPITAL ONE, N.A., successor in interest to ING BANK FSB
 23 (“CAPITAL ONE”) (collectively “Parties¹”) by and through their counsel of record
 24 have entered into the following Stipulation respectfully requesting an Order from this
 25

26 _____
 27 ¹ On June 12, 2012 Defendant INTEGRATED LENDER SERVICES, INC., filed a
 28 Declaration of Non-Monetary Status without objection thus making it a nominal party to these proceedings.

1 Court as follows:

2 WHEREAS GOYAL served his Initial Disclosures on August 31, 2012;

3 WHEREAS CAPITAL ONE requested copies of the documents referenced in
4 the initial disclosures beginning September 5, 2012;

5 WHEREAS CAPITAL ONE served Request for Production of Documents
6 (Set 1) to GOYAL on September 12, 2012 seeking the documents in GOYAL's Initial
7 Disclosures as well as other documents supporting GOYAL's claims;

8 WHEREAS after repeated assurances the documents would be forthcoming
9 from GOYAL, CAPITAL ONE was forced to file a Motion to Compel Responses to its
10 Requests for Production on November 13, 2012 with a hearing date of December 18,
11 2012;

12 WHEREAS on December 4, 2012, GOYAL produced a portion of documents
13 responsive to CAPITAL ONE's Request for Production of Documents at his
14 deposition;

15 WHEREAS on December 17, 2012, GOYAL served his formal Response to
16 Requests for Production of Documents (Set 1) with additional documents not
17 produced at GOYAL's December 4, 2012 deposition;

18 WHEREAS the discovery cut off is currently set for December 21, 2012;

19 WHEREAS GOYAL has agreed to allow CAPITAL ONE to complete his
20 deposition regarding the new documents produced;

21 WHEREAS CAPITAL ONE intends to take the second section of GOYAL's
22 deposition on or before January 14, 2013;

23 WHEREAS the Parties have stipulated to extend the discovery cut off from
24 December 21, 2012 to January 14, 2013 to allow CAPITAL ONE to complete its
25 deposition of GOYAL;

26 WHEREAS CAPITAL ONE intends to file a Motion for Summary Judgment
27 after completing GOYAL's deposition;

1 WHEREAS the last day to file a dispositive motion currently is December 28,
2 2012 in order to be heard by the dispositive motion hearing date cut off set for
3 February 1, 2013;

4 WHEREAS the Parties stipulate to extend the dispositive motion hearing cut
5 off date to March 1, 2013 to allow CAPITAL ONE to complete its discovery and
6 prepare its Motion for Summary Judgment;

7 WHEREAS the Pretrial Conference and Trial are currently set for March 7,
8 2013 and March 18, 2013 respectively;

9 WHEREAS the Parties stipulate to continue the Pretrial Conference and Trial
10 to April 11, 2013 and April 22, 2013 or any later date acceptable to the Court.

11
12 Dated: December 20, 2012

ATTLESEY | STORM, LLP

13
14 /s/ Suzanne S. Storm

15 Suzanne S. Storm., Attorney for Defendant

16
17 Dated: December 20, 2012

LAW OFFICES OF QUADRA DAY

18
19 /s/ Jamie Edwards Quadra

20 Jamie Edwards Quadra, Attorney for
21 Plaintiff

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.
23
24

25 Dated: _____

26 Honorable Ronald M. Whyte

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13
14 /s/ Suzanne S. Storm

15 Suzanne S. Storm., Attorney for Defendant

16
17 Dated: December 20, 2012

LAW OFFICES OF QUADRA DAY

18
19 /s/ Jamie Edwards Quadra

20 Jamie Edwards Quadra, Attorney for
21 Plaintiff

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23
24
25 Dated: _____

Ronald M. Whyte

Honorable Ronald M. Whyte