

1 Scott Maurer, State Bar No. 180830  
 2 KATHARINE & GEORGE ALEXANDER  
 3 COMMUNITY LAW CENTER  
 1030 The Alameda  
 3 San Jose, CA 95126  
 Telephone: 408.288.7030  
 4 Fax: 408.288.3581

5 Attorneys for Plaintiff  
 6 DAVID R. PEREZ

7 Erica K. Rocush State Bar No. 262354  
 erica.rocush@ogletreedeakins.com  
 8 Jill V. Cartwright CA Bar No. 260519  
 jill.cartwright@ogletreedeakins.com  
 9 OGLETRÉE, DEAKINS, NASH, SMOAK & STEWART, P.C.  
 Steuart Tower, Suite 1300  
 10 One Market Plaza  
 San Francisco, CA 94105  
 11 Telephone: 415.442.4810  
 Facsimile: 415.442.4870

12 Attorneys for Defendants  
 13 ALLIED INTERSTATE LLC, SLM EDUCATION CREDIT  
 FINANCE CORPORATION (erroneously sued as SLM  
 14 EDUCATION FINANCE CORPORATION), SLM FINANCIAL  
 CORPORATION and SALLIE MAE, INC.

15 **UNITED STATES DISTRICT COURT**  
 16 **NORTHERN DISTRICT OF CALIFORNIA**

18 DAVID R. PEREZ,  
 19  
 20 Plaintiff,  
 21  
 22 v.  
 23 ALLIED INTERSTATE, LLC, SLM  
 EDUCATION FINANCE CORPORATION,  
 24 SLM FINANCIAL CORPORATION;  
 SALLIE MAE, INC. AND DOES 1-10,  
 25 INCLUSIVE,  
 26  
 27 Defendants.

Case No. CV 12-03763 HRL  
**JOINT MOTION AND STIPULATION FOR  
 RELIEF FROM CASE MANAGEMENT  
 SCHEDULE AND [PROPOSED] ORDER**  
 Complaint Filed: May 9, 2012

1 **STIPULATION**

2 Plaintiff David R. Perez (“Plaintiff”) and his attorneys of record, The Katharine & George  
3 Alexander Community Law Center, by Scott Maurer, attorney at law and Defendants Allied  
4 Interstate LLC, SLM Education Credit Finance Corporation (erroneously sued as SLM Education  
5 Finance Corporation), SLM Financial Corporation, and Sallie Mae, Inc. (collectively  
6 “Defendants”), by their attorneys of record, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., by  
7 Jill V. Cartwright, attorney at law, hereby stipulate to the following and respectfully move the  
8 Court for an order changing the initial case management conference and ADR deadlines as follows:

- 9 1. **WHEREAS**, Plaintiff filed his Complaint on May 9, 2012 in the Santa Clara  
10 Superior Court; and
- 11 2. **WHEREAS**, on July 18, 2012, prior to its deadline to respond to the Complaint,  
12 Defendant Allied Interstate LLC removed the action to the Northern District of California, San  
13 Jose Division, with all Defendants consenting to the removal; and
- 14 3. **WHEREAS**, on July 18, 2012, the Court issued an Order Setting Initial Case  
15 Management Conference and ADR Deadlines; and
- 16 4. **WHEREAS**, on July 26, 2012, the Court signed the parties’ Joint Stipulation to  
17 Extend Deadline for Defendants’ Response to Plaintiff’s Complaint, giving Defendants until  
18 September 14, 2012 to file a responsive pleading in this matter; and
- 19 5. **WHEREAS**, the current case management deadlines require the parties to conduct  
20 their initial conference regarding initial disclosures, early settlement, ADR process selection, and  
21 discovery plan before Defendants file their responsive pleading in this matter; and
- 22 6. **WHEREAS**, the parties met and conferred regarding the proposed continuance of  
23 the initial case management conference; and
- 24 7. **WHEREAS**, pursuant to Local Rule 16-2(d)-(e) and Local Rule 7, the parties hereby  
25 submit this stipulation for relief from the case management schedule.

26 ///

27 ///

28 ///

1           **NOW, THEREFORE**, the Parties, through their respective counsel of record **AGREE**  
 2 **AND HEREBY STIPULATE** to the following changes in the initial case management deadlines:

Deadline	Original Date	New Date
Last day to: <ul style="list-style-type: none"> <li>• meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan</li> <li>• File ADR Certification signed by Parties and Counsel</li> <li>• File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference</li> </ul>	September 4, 2012	October 16, 2012
Last day to file Rule 26(f) Report, complete initial disclosures or state objection on Rule 26(f) Report and file Case Management Statement per the Court's Standing Order re: Contents of Joint Case Management Statement	September 18, 2012	October 30, 2012
Initial Case Management Conference in Courtroom 2, 5th Floor SJ at 1:30 pm	September 25, 2012	November 6, 2012

21 DATED: August 30, 2012

KATHARINE & GEORGE ALEXANDER  
 COMMUNITY LAW CENTER

24 By: /s/ Scott Maurer  
 Scott Maurer

26 Attorney for Plaintiff  
 DAVID R. PEREZ

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: August 30, 2012

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

By: /s/ Jill V. Cartwright  
Erica K. Rocush  
Jill V. Cartwright

Attorneys for Defendants  
ALLIED INTERSTATE LLC, SLM  
EDUCATION CREDIT FINANCE  
CORPORATION (erroneously sued as SLM  
EDUCATION FINANCE CORPORATION),  
SLM FINANCIAL CORPORATION and  
SALLIE MAE, INC.

**ATTESTATION PER GENERAL ORDER NO. 45 SECTION X.B.**

I hereby attest that I have obtained concurrence in the filing of this document from each of  
the signatories listed above.

DATED: August 30, 2012

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

By: /s/ Jill V. Cartwright  
Erica K. Rocush  
Jill V. Cartwright

Attorneys for Defendants  
ALLIED INTERSTATE LLC, SLM  
EDUCATION CREDIT FINANCE  
CORPORATION (ERRONEOUSLY SUED AS  
SLM EDUCATION FINANCE  
CORPORATION), SLM FINANCIAL  
CORPORATION AND SALLIE MAE, INC.

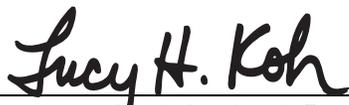
1 [PROPOSED] ORDER

2 Pursuant to the Joint Stipulation for Relief from Case Management Schedule it is hereby  
3 ordered that the Case Management deadlines are modified as follows:  
4

5 Deadline	Original Date	New Date
6 Last day to: 7 • Meet and confer re: 8 initial disclosures, early 9 settlement, ADR 10 process selection, and 11 discovery plan 12 • File ADR Certification 13 signed by Parties and 14 Counsel 15 • File either Stipulation 16 to ADR Process or 17 Notice of Need for 18 ADR Phone 19 Conference	September 4, 2012	October 16, 2012
20 Last day to file Rule 26(f) 21 Report, complete initial 22 disclosures or state objection 23 on Rule 26(f) Report and file 24 Case Management Statement 25 per the Court's Standing Order 26 re Contents of Joint Case 27 Management Statement	September 18, 2012	October 30, 2012
28 Initial Case Management Conference in Courtroom 2, 5th Floor SJ at 1:30 pm	September 25, 2012	November 6, 2012

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

23 DATED: December 28, 2012

24   
25 Hon. ~~Howard R. Lloyd~~ Lucy H. Koh  
26 Magistrate Judge of the United States District  
27 Court