

1 Fred W. Schwinn (SBN 225575)  
 2 CONSUMER LAW CENTER, INC.  
 3 12 South First Street, Suite 1014  
 4 San Jose, California 95113-2418  
 Telephone Number: (408) 294-6100  
 Facsimile Number: (408) 294-6190  
 Email Address: fred.schwinn@sjconsumerlaw.com

5 Attorney for Plaintiff  
 6 ELIZABETH PALISOC AGNIR

7  
 8 **IN THE UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN JOSE DIVISION**

11 ELIZABETH PALISOC AGNIR,  
 12  
 13 Plaintiff,  
 14  
 15 v.

Case No. 5:12-CV-04470-LHK-HRL

**STIPULATION TO AMEND BRIEFING  
 SCHEDULE AND ~~PROPOSED~~ ORDER**

16 THE GRYPHON SOLUTIONS, LLC, a  
 17 California limited liability company;  
 18 MICHAEL CHARLES BRKICH, individually  
 and in his official capacity; JAY MICHAEL  
 TENENBAUM, individually and in his official  
 capacity; IAN NATHAN WILLENS,  
 individually and in his official capacity,

[N.D. Cal. Civ. L.R. 6-2]

19 Defendants.

20 THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

21 1. On August 24, 2012, Plaintiff filed her Complaint (Doc. 1) in this case alleging  
 22 violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, and the Rosenthal Fair  
 23 Debt Collection Practices Act, Cal. Civil Code § 1788 *et seq.* Plaintiff's Complaint also seeks actual  
 24 damages, statutory damages, declaratory and injunctive relief, attorney fees, and costs pursuant to Cal.  
 25 Civil Code §§ 1798.92-1798.97.

26 2. On September 24, 2012, Defendants filed their Motion to Dismiss for Failure to  
 27 State a Claim Upon Which Relief Can be Granted (Doc. 16).  
 28

1 3. On September 25, 2012, Defendants filed their Motion to Strike (Doc. 17).

2 4. Defendants motions are currently set for hearing on January 31, 2013, at 1:30 p.m.  
3 before the Honorable Lucy H. Koh.

4 5. The parties request that the Court enter an order modifying the briefing schedule for  
5 Defendants' motions as follows:

6 a. Plaintiff's opposition briefs shall be filed on or before October 23, 2012.

7 b. Defendants' reply briefs shall be filed on or before November 6, 2012.

8 6. The briefing schedule has not been previously modified.

9 7. The modified briefing schedule will have no effect on the January 31, 2013, hearing  
10 date.

11 IT IS SO STIPULATED.

12 CONSUMER LAW CENTER, INC.

13 Dated: October 9, 2012

14 By: /s/ Fred W. Schwinn  
15 Fred W. Schwinn, Esq.  
16 Attorney for Plaintiff  
17 ELIZABETH PALISOC AGNIR

18 PHOENIX LAW GROUP CORP.

19 Dated: October 9, 2012

20 By: /s/ Ronald Roundy  
21 Ronald Roundy, Esq.  
22 Attorney for Defendants  
23 THE GRYPHON SOLUTIONS, LLC,  
24 MICHAEL CHARLES BRKICH,  
25 JAY MICHAEL TENENBAUM,  
26 and IAN NATHAN WILLENS

27 PURSUANT TO STIPULATION, IT IS SO ORDERED.

28 Dated: 10/15/2012

  
The Honorable Lucy H. Koh  
United States District Judge