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6 Attorneys for Defendant National Collegiate Student Loan Trust 2007-3

7 UNITED STATES DISTRICT COURT

8
9 DISTRICT OF NEVADA

10 TRICIA BENAVENTE, and
11 ANDRESINA BENAVENTE,

12 Plaintiffs,
13
14 vs.

15 NATIONAL COLLEGIATE
16 STUDENT LOAN TRUST 2007-3, A
DELAWARE STATUTORY
17 TRUST(S), and PATENAUX &
FELIX, A.P.C.,

18 Defendants.
19

Case No. 14-CV-01992-GMN-VCF
JOINT MOTION TO TRANSFER
AND CONSOLIDATE CLASS
ACTION CASE

20 DAWN ZOERB, Individually and On
21 Behalf of Others Similarly Situated,

22 Plaintiff,
23
vs.

24 NATIONAL COLLEGIATE
25 STUDENT LOAN TRUST 2006-3, A
Delaware Statutory Trust(s); and,
26 LAW OFFICES OF PATENAUX &
FELIX, A.P.C.,

27
28 Defendants.

Case No.: 14-cv-00468-BAS-KSC

JOINT MOTION TO TRANSFER AND CONSOLIDATE CLASS ACTION CASE

1 IT IS HEREBY STIPULATED AND CONSENTED BY AND BETWEEN
2 THE PARTIES, Plaintiffs Tricia Benavente and Andresina Benavente
3 (“Plaintiffs”) and Defendants National Collegiate Student Loan Trust 2007-3 and
4 the Law Offices of Patenaude & Felix, A.P.C. (“Defendants”), through
5 undersigned counsel, to transfer the above-referenced case entitled Benavente v.
6 National Collegiate Student Loan Trust 2007-3, et al., Case No. 14-CV-01992-
7 GMN-VCF (D. Nev) to the U.S. District Court for the Southern District of
8 California, and to consolidate the action with the pending action entitled Zoerb v.
9 National Collegiate Student Loan Trust 2006-3, et al., Case No. 14-cv-00468-
10 BAS-KSC (S.D. Cal.).
11

12 WHEREAS, for the convenience of parties and witnesses, in the interest of
13 justice, a district court may transfer any civil action to any other district or
14 division where it might have been brought or to any district or division to which
15 all parties have consented. 28 U.S.C. § 1404(a).

16 WHEREAS the civil action filed by Plaintiffs involves common defendants
17 and common questions of law and fact as to Zoerb v. National Collegiate Student
18 Loan Trust 2006-3 et al., Case No. 14-cv-00468-BAS-KSC (S.D. Cal.).

19 WHEREAS all parties are actively engaging in good faith settlement
20 negotiations.

21 WHEREAS all parties have recently reached a tentative settlement
22 agreement in Zoerb v. National Collegiate Student Loan Trust 2006-3 et al., Case
23 No. 14-cv-00468-BAS-KSC (S.D. Cal.), which seeks to include the claims raised
24 by Plaintiffs.

25 WHEREAS, upon transfer, Plaintiffs’ class action case should be
26 consolidated under Zoerb v. National Collegiate Student Loan Trust 2006-3 et al.,
27 Case No. 14-cv-00468-BAS-KSC (S.D. Cal.).
28

WHEREAS counsel for Plaintiffs and Defendants certify by their signatures below that upon filing this document it has been deemed acceptable to all persons required to sign, and each have authorized the use of their electronic signature.

IT IS SO STIPULATED.

KAZEROUNI LAW GROUP, APC

Dated: May 4, 2015

/s/Danny Horen

Danny Horen

Attorney for Plaintiffs

Tricia Benavente and Andresina Benavente

Dated: May 4, 2015

SESSIONS, FISHMAN, NATHAN & ISRAEL, L.L.C.

/s/James K. Shultz

James K. Shultz

Attorney for Defendant

National Collegiate Student Loan Trust 2007-3

Dated: May 4, 2015

PATENAude & FELIX A.P.C.

/s/Westley Villanueva

Westley Villanueva

Attorney for Defendant

Patenaude & Felix, APC

The Clerk of Court is directed to close this case.

ORDER

IT IS SO ORDERED.

**HON. CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE**