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Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DONNA MCMILLAN, TERRY DAGENHART)
and KRISTY DAGENHART, Individually and)
on Behalf of all others similarly situated,)

Plaintiff,)

v.)

WELLS FARGO BANK, N.A.)

Defendants.)

No. 08-cv-05739 WHA

STIPULATION AND ~~PROPOSED~~
ORDER RE MOTION TO DISMISS
BRIEFING SCHEDULE AND INITIAL
CASE MANAGEMENT CONFERENCE

STIPULATION

WHEREAS, Plaintiffs Donna McMillan, Terry Dagenhart, and Kristy Dagenhart (“Plaintiffs”) filed their First Amended Class Action Complaint on February 11, 2009;

WHEREAS, on February 26, 2009, Defendant Wells Fargo Bank, N.A. (“Defendant”) filed its Motion to Dismiss with a hearing date of April 2, 2009 at 8:00 a.m.;

WHEREAS, Plaintiffs’ response to the Motion to Dismiss is currently due March 12, 2009;

WHEREAS, Defendant’s reply to the Motion to Dismiss is currently due March 19, 2009;

WHEREAS, the Court has scheduled an Initial Case Management Conference for April 2, 2009, at 8:00am; and

IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys of record to amend the schedule as follows, subject to Court approval:

(1) Plaintiffs’ response to Defendant’s Motion to Dismiss will be due March 24, 2009;

(2) Defendant’s reply to its Motion to Dismiss will be due April 2, 2009;

(3) The hearing date on Defendant’s Motion to Dismiss will be April 16, 2009 at 8:00 a.m.; and

(4) The Initial Case Management Conference will be held April 16, 2009 at 8:00 a.m.

DATED: March 9, 2009.

HAGENS BERMAN SOBOL SHAPIRO LLP

By /s/ Jeff D. Friedman
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Attorneys for Plaintiffs

DATED: March 9, 2009

COVINGTON & BURLING LLP

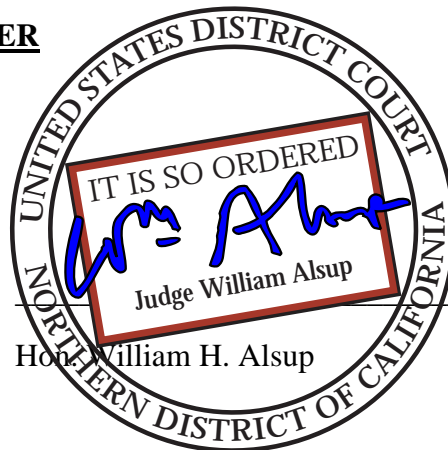
By: s/ Margaret G. May
Margaret G. May
Attorneys for Defendant
WELLS FARGO BANK, N.A.

I, Jeff D. Friedman, am the ECF User whose ID and password are being used to file this STIPULATION AND [PROPOSED] ORDER RE MOTION TO DISMISS BRIEFING SCHEDULE AND INITIAL CASE MANAGEMENT CONFERENCE. In compliance with General Order 45, X.B., I hereby attest that Margaret G. May has concurred in this filing.

ORDER

IT IS SO ORDERED.

DATED: March 10, 2009



CERTIFICATE OF SERVICE

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I hereby certify that on March 9, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

/s/ Jeff D. Friedman
JEFF D. FRIEDMAN

Mailing Information for a Case 3:08-cv-05739-WHA

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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