

1 JACOB D. BUNDICK, Esq. (NV Bar No. 9772)  
2 GREENBERG TRAURIG, LLP  
3 3773 Howard Hughes Parkway, Suite 400N  
4 Las Vegas, Nevada 89169  
5 Telephone: (702) 792-3773  
6 Facsimile: (702) 792-9002  
7 [bundickj@gtlaw.com](mailto:bundickj@gtlaw.com)  
Counsel for Defendant  
Bank of America N.A. for itself  
and as successor by  
merger to FIA Card Services NA

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10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 KIM VANAMANN, individually and on behalf  
13 others similarly situated,

14 Plaintiff,

15 v.

16 FIA CARD SERVICES NA  
1100 North King Street  
Wilmington DE 19884,

17 Defendants

18 Case No.: 2:16-cv-01071-RFB-CWH

19 **STIPULATION AND [PROPOSED]  
20 ORDER TO EXTEND DEADLINE  
21 FOR BANK OF AMERICA, N.A. TO  
22 RESPOND TO THE COMPLAINT**

23 (Third Request)

24 COME NOW, Defendant BANK OF AMERICA, N.A., for itself and as successor by  
25 merger to FIA CARD SERVICES, NA ("Defendant" or "BANA"),<sup>1</sup> and Plaintiff KIM  
26 VANAMANN ("Plaintiff"), by and through their respective counsel of record in the above-  
captioned matter, and hereby stipulate and agree, pursuant to LR 7-1, as follows:

27 1. Another putative nationwide class action against BANA, containing substantially  
28 similar allegations, *Pastor v. Bank of America, N.A.*, Case No. 3:15-cv-03831-MEJ (N.D. Cal. Aug.  
21, 2015) ("Pastor"), filed on August 21, 2015, nearly a year before this case was filed on June 20,  
2016, is currently pending in the Northern District of California. Like this action, *Pastor* involves  
allegations that BANA accessed Plaintiff's credit information without a permissible purpose under

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27 <sup>1</sup> Effective October 2014, FIA Card Services, N.A. merged into and under the charter of  
28 BANA. BANA is the surviving entity.

1 the Fair Credit Reporting Act, 15 U.S.C. Section 1681 *et seq.*

2 2. BANA has reached a settlement agreement in *Pastor* and BANA contends that  
3 Vanamann's claims are the same as those that are being resolved in *Pastor*.

4 3. The Parties are entering into this stipulation in good faith and not for purposes of  
5 delay.

6 **IT IS HEREBY STIPULATED THAT:**

7 4. The deadline for BANA to respond to the Complaint is hereby extended to  
8 November 14, 2016. The extension will allow the parties to complete a settlement of the matter.

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11 Dated: October 13th, 2016

12 **GREENBERG TRAURIG, LLP**

13  
14 By: Jacob Bundick  
15 JACOB D. BUNDICK, ESQ.  
16 Nevada Bar No. 9772  
17 3773 Howard Hughes Parkway  
18 Suite 400 North  
19 Las Vegas, Nevada 89169  
Telephone: (702) 792-3773  
Facsimile: (702) 792-9002  
Email: [bundickj@gtlaw.com](mailto:bundickj@gtlaw.com)

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21 *Attorneys for Defendant BANA*

Dated: October 13th, 2016

22 **CHRISTOPHER P. BURKE, EsQ.**

23 By: Chris Burke  
24 CHRISTOPHER P. BURKE, EsQ.  
25 Nevada Bar No. 4093  
26 218 S. Maryland Parkway  
27 Las Vegas, NV 89101  
Phone: 702-385-7987  
Email: [atty@cburke.lvoxmail.com](mailto:atty@cburke.lvoxmail.com)  
*Attorneys for Plaintiff*

28 **ORDER**

21 IT IS SO ORDERED.

22  
23  
24 US MAGISTRATE JUDGE  
25 DATED: October 14, 2016