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 10 *and as successor by*
 11 *merger to FIA Card Services NA*

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF NEVADA

10 KIM VANAMANN, individually and on behalf
 11 others similarly situated,

11 Plaintiff,

12 v.

13 FIA CARD SERVICES NA
 14 1100 North King Street
 15 Wilmington DE 19884,

15 Defendants

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

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

(Third Request)

18 COME NOW, Defendant BANK OF AMERICA, N.A., for itself and as successor by
 19 merger to FIA CARD SERVICES, NA (“Defendant” or “BANA”),¹ and Plaintiff KIM
 20 VANAMANN (“Plaintiff”), by and through their respective counsel of record in the above-
 21 captioned matter, and hereby stipulate and agree, pursuant to LR 7-1, as follows:

22 1. Another putative nationwide class action against BANA, containing substantially
 23 similar allegations, *Pastor v. Bank of America, N.A.*, Case No. 3:15-cv-03831-MEJ (N.D. Cal. Aug.
 24 21, 2015) (“*Pastor*”), filed on August 21, 2015, nearly a year before this case was filed on June 20,
 25 2016, is currently pending in the Northern District of California. Like this action, *Pastor* involves
 26 allegations that BANA accessed Plaintiff’s credit information without a permissible purpose under

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

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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.

11 Dated: October 13th, 2016

Dated: October 13th, 2016

12 GREENBERG TRAUIG, LLP

CHRISTOPHER P. BURKE, ESQ.

13 By: Jacob Bundick
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ORDER

IT IS SO ORDERED.



US MAGISTRATE JUDGE

DATED: October 14, 2016