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8 Attorneys for Defendant  
9 THE GOLDEN 1 CREDIT UNION

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA

12 DONALD L. SCHLEY,

13 Plaintiff,

14 v.

15 THE GOLDEN ONE CREDIT UNION, an  
16 entity of unknown form;  
17 BANK OF AMERICAN, an entity of  
18 unknown form;  
19 RECONTRUST COMPANY, N.A., an  
20 entity of unknown form;  
21 MORTGAGE ELECTRONIC  
22 REGISTRATION SYSTEMS, INC., an  
23 entity of unknown form;  
24 BAC HOME LOANS SERVICING, L.P.,  
25 an entity of unknown form;  
26 T.D. SERVICE COMPANY, an entity of  
27 unknown form; and  
28 DOES 1 through 100, inclusive,

Defendants.

Case No. 2:10-00823-JAM-KJN

Hon. John A. Mendez, Courtroom 6

**JOINT STIPULATED APPLICATION FOR  
EXTENSION OF TIME TO RESPOND TO  
FIRST AMENDED COMPLAINT; ORDER**

Complaint Filed: February 18, 2010  
Trial Date: None

**STIPULATED APPLICATION FOR EXTENSION OF TIME  
TO RESPOND TO FIRST AMENDED COMPLAINT**

Pursuant to Local Rules 83-143 and 6-144, plaintiff DONALD L. SCHLEY (“Plaintiff”) and Defendant THE GOLDEN 1 CREDIT UNION (“Golden 1”) hereby stipulate and agree to extend the time for the Golden 1 to respond to Plaintiff’s First Amended Complaint in the above-

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1 entitled action, and apply for an order from the court granting said extension.

2 This application and stipulation is based on the following facts:

3 Plaintiff filed his original complaint in Sacramento County Superior Court on February  
4 18, 2010 against Golden 1, Bank of America, ReconTrust Company, Mortgage Electronic  
5 Registration Systems, Inc., BAC Home Loans Servicing and T.D. Service Company. On or about  
6 April 8, 2010, the Bank of America defendants removed the case to the United States District  
7 Court for the Eastern District of California. The Bank of America defendants then filed a Motion  
8 to Dismiss. On or about May 12, 2010, Golden 1 also filed a Motion to Dismiss.

9 Plaintiff has now filed voluntary dismissals of all defendants *except* the Golden 1. And on  
10 or about May 19, 2010, Plaintiff filed a First Amended Complaint against the Golden 1. As a  
11 result of Plaintiff's filings, the Court vacated the hearings on defendants' motions to dismiss.

12 On or about May 25, 2010, Plaintiff filed a motion entitled "Motion for Federal Court  
13 Abstention and for Remand to State Court." The motion is set for hearing on July 7, 2010.

14 The Golden 1's response to Plaintiff's First Amended Complaint is due before Plaintiff's  
15 Motion for abstention and remand will be heard. But given that that motion is pending, the  
16 parties agree that the motion should be heard and decided before the Golden 1 files a responsive  
17 pleading. So, the parties desire to extend the Golden 1's deadline to file a response to Plaintiff's  
18 First Amended Complaint until after the Court rules on Plaintiff's Motion for abstention and  
19 remand.

20 Therefore, Plaintiff and the Golden 1, by and through their undersigned counsel,  
21 HEREBY STIPULATE AND AGREE that Golden 1 shall have an extension of time to respond  
22 to the First Amended Complaint until ten days after the hearing on Plaintiff's motion for  
23 abstention and remand. The motion is set for hearing on July 7, 2010, and thus the parties  
24 stipulate and agree to an extension until July 17, 2010. The Golden 1's response is currently due  
25 June 7, 2010. Because the parties are seeking to stipulate to an extension of more than 30 days,  
26 court approval for the extension is required under Local Rule 6-144(a).

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DATED: June 7, 2010

LAW OFFICES OF DAVID M. TRAPANI

By:                   /s/ DAVID M. TRAPANI  
                  DAVID M. TRAPANI  
                  Attorney for Plaintiff  
                  DONALD L. SCHLEY

DATED: June 7, 2010

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By:                   /s/ JANLYNN R. FLEENER  
                  JANLYNN R. FLEENER  
                  Attorney for Defendant  
                  THE GOLDEN 1 CREDIT UNION

**ORDER**

The parties' joint stipulated application for extension is GRANTED. Defendant the Golden 1 Credit Union shall have an extension until, and including, July 17, 2010, to file a response to Plaintiff's First Amended Complaint.

IT IS SO ORDERED.

DATED: June 7, 2010

                  /s/ John A. Mendez  
                  HONORABLE JOHN A. MENDEZ

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