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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 **PEOPLE OF THE STATE OF**
16 **CALIFORNIA, et al.,**

17 Plaintiffs,

18 v.

19 **THE FEDERAL DEPOSIT INSURANCE**
20 **CORPORATION,**

21 Defendant.

Case No. 4:20-cv-05860-JSW

**JOINT STIPULATION REGARDING
EXTENSION OF TIME TO ANSWER,
~~PROPOSED~~ BRIEFING SCHEDULE,
AND REQUEST TO TAKE CASE
MANAGEMENT CONFERENCE OFF
CALENDAR**

23 Pursuant to Civil L.R. 6-1(a), the parties hereto, by and through their undersigned counsel,
24 hereby enter into the following stipulation:

25 WHEREAS, on September 11, 2020, the Court found that the above-captioned case is
26 related to *People of the State of California, et al. v. The Office of the Comptroller of the Currency,*
27 *et al.*, 20-cv-05200-JSW [Dkt. No. 28] (“OCC Litigation”);

1 WHEREAS, the parties to the OCC Litigation entered a Joint Stipulation Regarding
2 Extension of Time to Answer and Proposed Briefing Schedule, which the Court approved on
3 October 5, 2020 and further responded by taking off calendar the Case Management Conference
4 previously scheduled in that related case;

5 WHEREAS, the parties to this, the above-captioned, matter have likewise reached accord
6 regarding a briefing schedule for their cross-motions for summary judgment;

7 WHEREAS, the parties believe the Case Management Conference set for October 30, 2020
8 in this case is correspondingly unnecessary;

9 WHEREAS, the parties understand that, if the Court takes off calendar the pending Case
10 Management Conference, a Joint Case Management Statement shall not be required because

- 11 - Federal Rule of Civil Procedure 26 exempts from relevant initial-disclosure
12 requirements any “action for review on an administrative record”, Fed. R. Civ. P. 26(a)
13 & (f);
- 14 - the parties have previously identified all related cases (*i.e.*, *People of the State of*
15 *California, et al. v. The Office of the Comptroller of the Currency*, 20-cv-05200-JSW)
16 [Dkt. No. 23] and declined to proceed before a magistrate judge [*see* Dkt. No. 7]; and
- 17 - this Joint Stipulation, if approved by the Court, shall provide a schedule for all
18 anticipated filings and hearings related to the parties’ cross-motions for summary
19 judgment, and the parties do not anticipate filing any other motions in this matter.
20

21 NOW, THEREFORE, IT IS HEREBY STIPULATED:

- 22 1. That Defendant’s time to file its Answer to the Complaint is extended to January 14,
23 2021;
- 24 2. That Defendant will file the certified Administrative Record, along with a table of
25 contents identifying the documents contained therein, on January 14, 2021;
- 26 3. That the parties agree on the following briefing schedule for cross-motions for
27 summary judgment:
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- a. Plaintiffs will file their motion for summary judgment on February 25, 2021;
- b. Defendants will file a combined opposition to Plaintiffs’ motion and a cross-motion for summary judgment on March 25, 2021;
- c. Plaintiffs will file a combined reply in support of their motion for summary judgment and an opposition to Defendants cross-motion on April 22, 2021;
- d. Defendants will file a reply in support of their motion for summary judgment on May 6, 2021; and
- e. Plaintiffs shall notice the cross-motions for summary judgment to be heard on June 4, 2021 at 9:00 a.m. or on such date thereafter that the Court deems appropriate.

- 4. That in accordance with Defendant’s understanding of this Court’s standing order, the page limitation for all briefs listed above shall not exceed 25 pages;
- 5. That the parties respectfully and jointly request that the Court take off calendar the Case Management Conference in this matter currently set for October 30, 2020 at 11:00 a.m.; and
- 6. That, if the Court grants the parties’ request, the parties shall not file a Joint Case Management Statement unless instructed otherwise by the Court.

1 With the exception of the parties' request to take off calendar the above-mentioned Case
2 Management Conference, this stipulation shall not alter the date of any event or any deadline
3 already fixed by Court order.

4 **IT IS SO STIPULATED**

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6 Dated: October 15, 2020

Respectfully submitted,

7 XAVIER BECERRA
8 Attorney General of California
9 NICKLAS A. AKERS
Senior Assistant Attorney General

10 /s/ Devin W. Mauney

11 DEVIN W. MAUNEY
12 Deputy Attorney General

13 *Attorneys for Plaintiff*
14 *the People of the State of California*

15 FEDERAL DEPOSIT INSURANCE
16 CORPORATION
17 Barbara Katron (DC Bar #387970)
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18 /s/ Erik Bond
19 Erik Bond (NY Bar Reg. #4316030)
20 Andrew Dober (CA Bar #229657)
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24 **IT IS SO ORDERED:**

25 
26 HONORABLE JEFFREY S. WHITE
27 United States District Judge

October 15, 2020