Cas	e 3:16-cv-00492-L-WVG Document 76	Filed 12/21/17 PageID.761 Page 1 of 5			
1	MATTHEW W. CLOSE (S.B. #1885	570)			
2	DANIELLE N. OAKLEY (S.B. #246295) O'MELVENY & MYERS LLP				
3	400 South Hope Street				
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8	Washington, D.C. 20006-4001				
9	Telephone: (202) 383-5300 Facsimile: (202) 383-5414				
10					
11	Attorneys for Defendant Bank of America, N.A.				
12	UNITED STATES DISTRICT COURT				
13	SOUTHERN DIST	FRICT OF CALIFORNIA			
14					
15	JOANNE FARRELL, on behalf of	Case No. 3:16-cv-00492-L-WVG			
16	herself and all others similarly situate	JOINT MOTION			
17	Plaintiff,				
18	V.	Judge: Hon. M. James Lorenz			
19	BANK OF AMERICA, N.A.,	Courtroom: 5B			
20	Defendant.				
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		JOINT MOTION 3:16-CV-00492-L-WVG			
I	I				

1	Pursuant to Civil Local Rule 7.2, Defendant Bank of America, N.A.				
2	("BANA") and Plaintiff Joanne Farrell ("Plaintiff") (collectively, "the Parties")				
3	respectfully submit the following joint motion:				
4	WHEREAS, on March 13, 2017, Plaintiff filed an unopposed motion to				
5	amend her Complaint to add Ronald Dinkins, Larice Addamo, and Tia Little as				
6	three additional named plaintiffs;				
7	WHEREAS, on October 30, 2017, BANA entered into a settlement				
8	agreement with Plaintiff, Ronald Dinkins, Larice Addamo, and Tia Little on behalf				
9	of the Settlement Class defined in the Settlement Agreement;				
10	WHEREAS, on December 11, 2017, the Court granted Plaintiff's Unopposed				
11	Motion to Amend Complaint, to Add Class Representatives, and to Modify Case				
12	Style [Dkt. No. 60], adding Ronald Anthony Dinkins, Larice Addamo, and Tia				
13	Little as Plaintiffs;				
14	WHEREAS, on December 11, 2017, the Court designated Plaintiff, Ronald				
15	Dinkins, Larice Addamo, and Tia Little as the Class Representatives of the				
16	Settlement Class;				
17	WHEREAS, to effectuate Final Approval of the Settlement, the Parties agree				
18	that the Amended Complaint attached as <i>Exhibit A</i> to Plaintiff's Motion to Amend				
19	Complaint, to Add Class Representatives, and to Modify Case Style [Dkt. No. 60]				
20	shall be deemed filed; and				
21	WHEREAS, the Parties agree that all material allegations therein shall be				
22	deemed denied by BANA and all legally permissible affirmative defenses will be				
23	deemed pled and preserved all without prejudice to BANA's right to file a formal				
24	answer to the operative complaint should the settlement not become effective.				
25	IT IS HEREBY STIPULATED:				
26	1. The Amended Complaint attached as <i>Exhibit A</i> to Plaintiff's				
27	Unopposed Motion to Amend Complaint, to Add Class				
28	Representatives, and to Modify Case Style [Dkt. No. 60] shall be				
	- 1 - JOINT MOTION 3:16-CV-00492-L-WVG				

4 all legally permissible affirmative defenses will be deemed pled and preserved all without prejudice to BANA's right to file a formal answer to the operative complaint should the settlement not become effective. 7 effective. 8 Accordingly, the Parties respectfully request that the Court enter an order in conformance hereto. 10 Dated: December 21, 2017 Respectfully submitted, 12 O'MELVENY & MYERS LLP 13 By: s/ Matthew W. Close 14 By: s/ Matthew W. Close 15 Attorneys for Defendant Bank of America, N.A. 17 Respectfully submitted, 19 TYCKO & ZAVAREEI LLP 20 By: s/ Hassan Zavareei 21 Experimentation of the presence of the set of the presence of the presenc	Cas	e 3:16-cv-00492-L-WVG Document 76 Filed 12/21/17 PageID.763 Page 3 of 5					
3 2. All material allegations therein shall be deemed denied by BANA and all legally permissible affirmative defenses will be deemed pled and preserved all without prejudice to BANA's right to file a formal answer to the operative complaint should the settlement not become effective. 8 Accordingly, the Parties respectfully request that the Court enter an order in conformance hereto. 10 Dated: December 21, 2017 Respectfully submitted, 12 O'MELVENY & MYERS LLP 13 By: s/Matthew W. Close 14 Attorneys for Defendant Bank of America, N.A. 15 Attorneys for Defendant Bank of America, N.A. 18 Dated: December 21, 2017 Respectfully submitted, 19 TYCKO & ZAVAREEI LLP 20 By: s/Hassan Zavareei 21 Hassan Zavareei 22 Attorneys for Plaintiff Joanne Farrell 23 Attorneys for Plaintiff Joanne Farrell 24 25 26 27 28 UDELWERT	1	deemed filed and henceforth deemed to be the operative complaint;					
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		- 2 - JOINT MOTION 3:16-CV-00492-L-WVG					

Cas	e 3:16-cv-00492-L-WVG Document 76	Filed 12/21/17 PageID.764 Page 4 of 5
1	Dated: December 21, 2017	Respectfully submitted,
2		CREED & GOWDY P.A.
3		
4		By: <u>s/ Bryan S. Gowdy</u> Bryan S. Gowdy
5		
6		Attorneys for Plaintiff Joanne Farrell
7		
8 9	Dated: December 21, 2017	Respectfully submitted,
9 10		KOPELOWITZ OSTROW P.A.
11		By: s/ Jeff Ostrow
12		Jeff Ostrow
13		Attorneys for Plaintiff Joanne Farrell
14		
15	Dated: December 21, 2017	Respectfully submitted,
16		KELLEY UUSTAL PC
17		By: s/ Cristina M. Pierson
18		Cristina M. Pierson
19 20		Attorneys for Plaintiff Joanne Farrell
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		- 3 - JOINT MOTION 3:16-CV-00492-L-WVC

Cas	e 3:16-cv-00492-L-WVG	Document 76	Filed 12/21	L/17	PageID.765	Page 5 of 5	
1		SIGNATUR	E CERTI	FIC	ATION		
2	Pursuant to Section 2(f)(4) of the electronic Case Filing Administrative						
3	Policies and Procedure	es Manual, I he	reby certify	y tha	t the content	of this document	
4	is acceptable to Hassar	n Zavareei, Bry	yan S. Gow	dy, J	leff Ostrow, a	and Cristina M.	
5	Pierson, counsel for Pl	aintiff Joanne	Farrell, and	l tha	t I have obtain	ned the approval	
6	of Mr. Zavareei, Mr. C	Gowdy, Mr. Os	trow, and N	Ms. F	Pierson to affi	x their electronic	
7	signatures to this docu	ment.					
8							
9	Dated: Decem	ber 21, 2017	Resp	ectfi	ally submitted	l,	
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11			U M	ELV		EKS LLF	
12			By:		Matthew W. C		_
13				Ma	atthew W. Clo	ose	
14			Attor	rneys	s for Defenda	nt	
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 MATTHEW W. CLOSE (S.B. #188570) DANIELLE N. OAKLEY (S.B. #246295) O'MELVENY & MYERS LLP 400 South Hope Street Los Angeles, California 90071-2899 Telephone: (213) 430-6000 	
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 400 South Hope Street Los Angeles, California 90071-2899 Telephone: (213) 430-6000 	
⁴ Telephone: (213) 430-6000	
5 Facsimile: (213) 430-6407	
6 Attorneys for Defendant	
7 Bank of America, N.A.	
8 UNITED STATES DISTRICT COURT	
9 SOUTHERN DISTRICT OF CALIFORNIA	
10	
11 JOANNE FARRELL, on behalf of Case No. 3:16-cv-00492-L-WVG	
12 herself and all others similarly situated, PROOF OF SERVICE	
13 Plaintiff,	
14 v. Judge: Hon. M. James Lorenz	
15BANK OF AMERICA, N.A.,Courtroom: 5B	
16 Defendant.	
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PROOF OF SERV 3:16-CV-00492-L-W	/VG

Case	3:16-cv-00492-L-WVG Document 76-1 Filed 12/21/17 PageID.767 Page 2 of 2				
1	PROOF OF SERVICE VIA CM/ECF				
2	I, Matthew W. Close, declare as follows:				
3	I am over the age of 18 years and not a party to the action. I am employed in				
4	the County of Los Angeles, California. My business address is 400 South Hope St.,				
5	Los Angeles, CA 90071.				
6	On December 21, 2017, I caused service of the attached documents entitled				
7	JOINT MOTION on the interested parties in this action by electronically filing the				
8	foregoing with the Clerk of the Court through the CM/ECF system, which will then				
9	send a notification of such filing to registered recipients for this case.				
10	I declare under penalty of perjury that the foregoing is true and correct.				
11					
12	Executed on this 21st day of December, 2017 at Los Angeles, California.				
13					
14	By: s/ Matthew W. Close Matthew W. Close				
15					
16	Attorneys for Defendant Bank of America, N.A.				
17	E-mail: mclose@omm.com				
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	- 1 - PROOF OF SERVICE 3:16-CV-00492-L-WVG				