

KAYE SCHOLER LLP

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7 Attorneys for Defendant EXPERIAN HOLDINGS, INC.

8 **IN THE UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
SAN JOSE DIVISION

10 MICHAEL BLOMQUIST,)

11 Plaintiff,)

12 v.)

13 WASHINGTON MUTUAL, a Washington)
 corporation; KERRY K. KILLINGER;)
 14 JOSEPH W. SAUNDERS;)
 COUNTRYWIDE HOME LOANS, INC. a)
 Delaware corporation; ANGELO)
 15 MOZILLO; WACHOVIA)
 CORPORATION, a North Carolina)
 16 corporation; KEN THOMPSON;)
 CITIGROUP, a Delaware corporation;)
 17 SANFORD WEILL; CHARLES PRINCE;)
 GOLDMAN SACHS GROUP, INC., a)
 18 Delaware corporation; HENRY)
 PAULSON; BEAR STERNS)
 19 COMPANIES, INC., a Delaware)
 corporation; JAMES CAYNE; THE)
 20 MCGRAW HILL COMPANY, INC., a)
 Delaware corporation; HAROLD)
 21 MCGRAW III; WELLS FARGO &)
 COMPANY, a Delaware corporation;)
 22 PATRICIA R. CALLAHAN; HERBERT)
 M. SANDLER; ROCK HOLDINGS, INC.,)
 23 a Delaware corporation; EXPERIAN)
 CORPORATION, a Delaware corporation;)
 24 FIMALAC, INC., a Delaware corporation;)
 MOODYS CORPORATION, a Delaware)
 25 corporation; JAMES E. GILLERAN;)
 JOHN M. REICH; JOHN D. HAWKE JR.;)
 26 JOHN C. DUGAN; SUSAN SCHMIDT)
 BIES; DONALD E. POWELL; SHEILA)
 27 C. BAIR,)

28 Defendants.)

CASE NO. C07-04108 JF

**DEFENDANTS' JOINT CASE
 MANAGEMENT STATEMENT**

Date: May 30, 2008

Time: 10:30 a.m.

Place: Ctrm. 3

Hon. Jeremy Fogel

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Defendants in this matter submit this Case Management Statement pursuant to N.D. Cal. L.R. 16(d) in support of the Case Management Conference (“CMC”) currently set before this Court on May 30, 2008. Local Rule 16(d) states:

“Unless otherwise ordered, no fewer than 10 days before any subsequent case management conference, the parties must file a Joint Case Management Statement, reporting progress or changes since the last statement was filed and making proposals for the remainder of the case development process. Such statements must report the parties’ views about whether using some form of ADR would be appropriate.”

According to the docket in this matter, two prior Case Management Conferences have been conducted, on November 30, 2007, and February 29, 2008. Some Defendants had been served with the Amended Complaint shortly before the February 29 CMC and had not yet appeared in the matter; others were not served until later. There were few appearances at that CMC and the Court continued it to May 30.

In the interim, most Defendants obtained extensions of time in which to respond to the Amended Complaint. Subsequently, on May 12, a number of Defendants¹ filed Motions to Dismiss this matter on various grounds. For example, Experian Holdings, Inc. (“Experian”) filed a Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(1) & (6) and 9(b). Others filed on similar or related grounds. All are set for hearing on July 11, 2008.

On May 15, Plaintiff Michael Blomquist emailed the Defendants in this matter, seeking to file a Joint Case Management Statement. The Defendants instead proposed a reasonable joint stipulation to continue the CMC until after the July 11, 2008, hearing on the Motions to Dismiss. Defendants signed such a stipulation on May 15. On May 16, Plaintiff declined to stipulate to a continuance, stating that he preferred the CMC to be held as set and that he would file his Case Management Statement that same day. Experian, for one, attempted to contact Plaintiff in order to
Plaintiff said Monday May 19, 2008

¹ Including Experian Holdings, Inc., The McGraw Hill Company, Inc., Harold McGraw III, Moodys Corporation, Washington Mutual, Kerry Killinger, Joseph W Saunders, Wells Fargo and Co., Patricia Callahan, Bear Sterns Companies, Inc., James Cayne, Wachovia Corporation, Fimalac (Fitch Group, Inc.), Sanford Weill, Charles Prince, Goldman Sachs Group, Inc., and Citigroup, Inc.

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Dated: May 16, 2008

BERGESON, LLP

By: _____/s/

Melinda M. Morton

Attorneys for Defendants The McGraw-Hill
Companies, Inc and Harold W. McGraw III

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KAYE SCHOLER LLP

Dated: May 16, 2008

SEVERSON & WERSON

By: _____/s/
Eric Kemp, Esq.
Attorneys for Defendants The Bear Sterns
Companies, Inc., Wells Fargo & Co., Patricia R.
Callahan and James Cayne

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Dated: May 16, 2008

GOODWIN PROCTER LLP

By: _____ /s/
Thomas Hefferon (pro hac vice)
Attorneys for Defendants Countrywide Home Loans,
Inc. and Angelo Mozillo

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Dated: May 16, 2008

DAVIS WRIGHT TREMAINE LLP

By: _____/s/
Stephen M. Rummage
Sam N. Dawood
Attorneys for Defendants Washington Mutual, Kerry
K. Killinger, Joseph W. Saunders

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Dated: May 16, 2008

BARTKO ZANKEL TARRANT & MILLER

By: _____/s/_____
Charles G. Miller
Attorneys for Defendant Moodys Corporation

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Dated: May 16, 2008

TAYLOR & COMPANY LAW OFFICES LLP

By: _____/s/
Stephen E. Taylor, Esq.
Attorneys for Defendant Fitch Group Inc. (sued and
served as Fimalac, Inc.)

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Dated: May 16, 2008

KEESAL, YOUNG & LOGAN APC

By: _____/s/_____
Christopher A. Stecher, Esq.
Attorneys for Defendants Citigroup Inc., Sanford
Weill and Charles Prince

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Dated: May 16, 2008

ANGLIN, FLEWELLING, RASMUSSEN,
CAMPBELL & TRYTTEN LLP

By: _____/s/_____
Christopher A. Carr, Esq.
Attorneys for Defendants Wachovia Corporation, G.
Kennedy Thompson, Herbert M. Sandler

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