

1 Michael Blomquist
18234 Daves Avenue
Los Gatos, CA 95030
2 (408) 399-0590
michaelsblomquist@gmail.com
3 Pro se plaintiff

4 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
5 **SAN JOSE DIVISION**

6 Michael Blomquist,
7 Plaintiff,
8 vs.

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

) Case No.: C07-04108 JF
)
) LEAVE TO AMEND F.A.C. & MOTION
) TO POSTPONE JULY 11, 2008
) HEARING DATE

1 In the interests of justice and efficient use of time;
2 plaintiff requests leave to amend first amended complaint and
3 postponement of July 11, 2008 hearing to August 15, 2008 or soon
4 thereafter.

5 Plaintiff recognizes the many deficiencies in the first
6 amended complaint and is certain his second amended complaint
7 can address and withstand all motions to dismiss. Plaintiff
8 will file SAC on or prior to July 11, 2008. Recent case
9 management conference is addressed below.

10 In support of leave to amend and postponement of hearing
11 plaintiff submits the following exhibits: A,B&C.

12 Plaintiff has attached a Wells Fargo trading account
13 (Exhibit A) for 2006 which substantiates significant trading
14 losses allegedly resulting from securities fraud. These losses
15 reflect only one account during one year. Plaintiff recognizes
16 the risks involved with these securities, but again alleges that
17 epic fraud and criminality was the cause of his losses and
18 others unjust enrichment.

19 Plaintiff has also attached a chart including some of the
20 defendants stock's performance (Exhibit B). As previously noted
21 in other court filings there are numerous derivative claims
22 against the same defendants by pension funds and others for tens
23 if not hundreds of billions in damages. There are numerous
24 pending cases against all the defendants with similar issues
25 that have survived motions to dismiss.

26 Per the debt rating agencies I submit an article from
27 Bloomberg (Exhibit C) which also alleges that the combination of
28 rating agencies and Wall Street (investment banks) were required

1 for this epic fraud to have occurred. "None of this could have
2 happened without the participation of Wall Street's three
3 biggest arbiters of credit Moody's, Investor Service, S&P and
4 Fitch Ratings. About 80 percent of the securities carried AAA
5 ratings, the same designation given to U.S. Treasury bonds."

6 It is agreed by all parties that the FAC fails to state a
7 claim, but it is evident that the defendants recognize the
8 seriousness of the allegations; available at:

9 [http://michaelblomquist.com//Defendants/McGrawHill/200710k.htm#L
10 egalProceedings.](http://michaelblomquist.com//Defendants/McGrawHill/200710k.htm#LegalProceedings)

11 Let it be noted that plaintiff has obtained a legal coach
12 to help draft SAC.

13 In further support of leave to amend and postponement of
14 July 11, 2008 hearing please consider the following:

- 15 a. FAC was the only complaint served upon defendants thus
16 the only document requiring a response.
- 17 b. Plaintiff had emailed defendants requesting a conference
18 so they could better understand claims and discuss a
19 possible ADR as to not burden the court.
- 20 c. Plaintiff granted enlargement of time for defendants'
21 response to FAC.
- 22 d. Defendants' counsel are professionally trained, educated
23 in law and much more experienced with responsive
24 pleadings or legal matters than pro se plaintiff.
- 25 e. Defendants had 2 or more attorneys to respond to one
26 complaint, while plaintiff alone has to respond to
27 numerous motions to dismiss, provide full-time care for
28 children and address current health problems.

1 f. Withstanding: Henry Paulson who is in default and
2 Countrywide/Mozilo who have since changed original answer
3 to motion to dismiss: All defendants filed motions to
4 dismiss on the last day of extension of May 12, 2008.

5 g. During the May 30, 2008 CMC it did not appear that the
6 honorable judge Fogel was aware that plaintiff did not
7 agree to the July 11, 2008 hearing or the events that
8 lead to setting the hearing date. The hearing date was
9 supposedly set during a phone conversation in April prior
10 [emphasis added] to receipt of numerous motions to
11 dismiss. Plaintiff remembers discussing that the July
12 11, 2008 date as the first available date, but did not
13 agree to the date.

14 h. It does not seem just that such a date of significance
15 can be set without as much as an email. Although this
16 maybe second nature to trained legal professionals it is
17 not to this pro se litigant.

18 i. Plaintiff emailed all defendants' counsel on Saturday,
19 June 14, 2008 requesting stipulation for postponement of
20 hearing, but as suspected the results from email and
21 limited phone calls were not promising. Emailed request
22 is available at: [http://michaelblomquist.com/email-
23 1/#comment-6](http://michaelblomquist.com/email-1/#comment-6)

24 j. Expense to court or parties for extension is virtually
25 non-existent.

26 /s/Michael Blomquist
27 Michael Blomquist
28 18234 Daves Avenue
Los Gatos, CA 95030
(408) 399-0590
pro se