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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

LENDINGCLUB CORPORATION,

d/b/a Lending Club,

Defendant.

Case No. 3:18-cv-02454

JOINT STIPULATION REQUEST TO LIFT STAY AND RESET DEADLINES

Pursuant to N.D. Cal. Civ. Local R. 6-2, by joint stipulation, the parties respectfully request that the Court lift the stay of briefing granted on January 2nd, 2019 (Dkt. 67), due to the government shutdown. Congress has now appropriated funds for the Federal Trade Commission ("FTC"), and the agency is resuming normal operations.

The parties respectfully request that the deadline for the FTC to file its reply in support of its Motion to Strike Affirmative Defenses (Dkt. 62) be set for February 7th, 2019. The parties are conferring regarding an appropriate date for the hearing on the FTC's motion and will call the Court jointly to propose a date for the hearing soon.

DATED: January 28, 2019

By: _____

Attorney for Plaintiff Federal Trade Commission

By: _____

Attorney for Defendant LendingClub

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DECLARATION OF KATHARINE ROLLER

I, Katharine Roller, declare:

I am attorney of record for the Federal Trade Commission ("FTC") in this matter. On December 21, 2018, appropriations for the FTC expired. The FTC had sufficient carryover funds to continue operating through December 28, 2018. At that time, the FTC moved the Court for a stay of briefing in light of the cessation of agency operations due to the lapse in funding. On January 2, 2019, the Court granted the FTC's request and stayed briefing in this case until the appropriation of funds and resumption of FTC operations.

Congress has now appropriated funds for the FTC and the agency has resumed operations.

Mr. Royall, on behalf of Defendant, and I, on behalf of the FTC, have agreed to stipulate that the FTC's reply in support of its Motion to Strike Affirmative Defenses (Dkt. 62) be set for February 7, 2019. The parties are conferring regarding an appropriate date for the hearing on the FTC's motion and will call the Court jointly to propose a date for the hearing soon. Other aspects of the schedule for this case will be unaffected.

I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct and that this declaration is executed at Chicago, Illinois on January 28, 2019.

Dated: January 28, 2019

By: Katherine Roller

Attorney for Plaintiff Federal Trade Commission

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