

# **EXHIBIT A**

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21 **UNITED STATES DISTRICT COURT**  
 22 **EASTERN DISTRICT OF CALIFORNIA**  
 23 **FRESNO DIVISION**

24 EFRAIN MUNOZ, *et al.*,  
 25 Plaintiffs,  
 26 v.  
 27 PHH CORP., *et al.*,  
 28 Defendants.

Case No. 1:08-CV-00759-AWI-BAM  
**PLAINTIFFS' NOTICE OF MOTION  
 AND MOTION TO COMPEL**

Date: May 16, 2014  
 Time: 9:00 a.m.  
 Dept.: 8  
 Judge: Hon. Barbara A. McAuliffe

Please take notice that on May 16, 2014, at 9:00 a.m., or as soon thereafter as the matter may be heard, in the courtroom of the Honorable Barbara A. McAuliffe of the above-mentioned Court, located at 2500 Tulare Street, Fresno, California, Plaintiffs, on behalf of themselves and all others similarly situated, by and through their undersigned attorneys, will and hereby do move for

1 an order granting Plaintiffs' Motion to Compel Defendants to Produce Documents Responsive to  
2 the Court's February 22, 2013 Order (the "Motion"). This Motion is made pursuant to Rule 37(a)  
3 of the Federal Rules of Civil Procedure and Rule 251 of the Local Rules of the United States  
4 District Court for the Eastern District of California.

5 Pursuant to Rule 251 of the Local Rules of the United States District Court for the Eastern  
6 District of California, the parties will file a joint statement concerning the discovery disagreement  
7 relating to the Motion at least seven (7) days before the scheduled hearing date.

8 A proposed form of Order is submitted with this Motion.

9 Dated: April 25, 2014

**KESSLER TOPAZ  
MELTZER & CHECK, LLP**

10  
11 /s/ Edward W. Ciolko  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 25, 2014, a true and correct copy of the foregoing document was electronically filed with the Clerk of Court, is available for viewing and downloading from the ECF system, and will be served by operation of the Court’s electronic filing system (CM/ECF) upon all counsel of record.

/s/ Edward W. Ciolko  
Edward W. Ciolko

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

EFRAIN MUNOZ, *et al.*, individually and on  
behalf of all others similarly situated,  
Plaintiffs,

v.

PHH CORP., PHH MORTGAGE CORP.,  
PHH HOME LOANS, LLC, and ATRIUM  
INSURANCE CORP.,  
Defendants.

Case No. 1:08-CV-00759-AWI-BAM

**[PROPOSED] ORDER GRANTING  
PLAINTIFFS’ MOTION TO COMPEL**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2014, upon consideration of  
Plaintiffs’ Motion to Compel Defendants to Produce Documents Responsive to the Court’s February  
22, 2013 Order (the “Motion”), it is hereby **ORDERED** that Plaintiffs’ Motion is **GRANTED**.

1. If Plaintiffs have not already done so, then, within five (5) calendar days of the date  
of service of this Order, Plaintiffs shall file in the action captioned *In the Matter of PHH Corp.*,  
Administrative Proceeding No. 2014-CFPB-0002 (the “Administrative Proceeding”), a Motion to  
Intervene for the Limited Purpose of Modifying the Protective Order Governing Discovery Material  
entered in the Administrative Proceeding (“Motion to Intervene”), seeking to become parties to the  
protective order entered therein and agreeing to be fully bound by its terms and any modifications  
thereto.

1           2.       Within fourteen (14) calendar days of the date that Plaintiffs’ Motion to Intervene is  
2 granted in the Administrative Proceeding, Defendants must produce to Plaintiffs all documents  
3 responsive to the Court’s February 22, 2013 Order (ECF No. 210) (the “Order”) including, but not  
4 limited to: (i) unredacted versions of all briefing, exhibits, transcripts, or other documents filed in  
5 the Administrative Proceeding; and (ii) all documents and data that the Consumer Financial  
6 Protection Bureau (“CFPB”) has produced to Defendants in connection with the Administrative  
7 Proceeding.

8           3.       Plaintiffs’ use of the documents that Defendants produce pursuant to this Order shall  
9 be subject to the terms of: (i) the Confidentiality Stipulation and Order (ECF No. 49) and the  
10 Stipulated Addendum and Order Regarding Production of Documents by Non-Parties (ECF No. 89)  
11 entered in this action; and (ii) the Protective Order Governing Discovery Material entered in the  
12 Administrative Proceeding, and any modifications thereto.

13           IT IS SO ORDERED.

14 \_\_\_\_\_  
15 Hon. Barbara A. McAuliffe  
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