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11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 SOUTHERN CALIFORNIA
15 INSTITUTE OF LAW, a California
16 corporation,

17 Plaintiff,

18 vs.

19 TCS EDUCATION SYSTEM, an
20 Illinois corporation; DAVID J.
21 FIGULI, an individual; and GLOBAL
22 EQUITIES, LTD. d/b/a HIGHER
23 EDUCATION GROUP, a Colorado
24 limited liability company,

25 Defendants.

CASE NO.: CV10-8026 PSG (AJWx)

[Assigned to Hon. Philip S. Gutierrez]

**DECLARATION OF GEORGE A.
SHOHET IN SUPPORT OF
STIPULATION AND [PROPOSED]
ORDER TO EXTEND THE TIME
FOR PLAINTIFF TO FILE ITS
MEMORANDUM OF POINTS AND
AUTHORITIES IN OPPOSITION TO
DEFENDANT TCS EDUCATION
SYSTEM'S MOTION TO DISMISS
AND RESCHEDULING HEARING
DATE**

Action Filed: Oct. 25, 2010

Hearing Date: February 28, 2011

Proposed Date: March 21, 2011

Time/Ctrm: 1:30 p.m./ 850

[Proposed Order lodged concurrently
herewith and Stipulation filed
concurrently herewith]

1 1. I am an attorney licensed to practice in the courts of California and a
2 member of the Bar of this Court. I make this declaration in support of plaintiff's
3 request for a brief extension of time to serve and file its Memorandum of Points
4 and Authorities in Opposition to the Motion to Dismiss filed by defendant TCS
5 Education System ("TCS") and to reschedule the current hearing date. I have
6 personal knowledge of the facts set forth herein and, if called as a witness, could
7 and would competently testify about them.


8 2. For the past several weeks, the parties have negotiated diligently in an
9 effort to resolve this matter without the need for further litigation. The parties had
10 agreed to concentrate their efforts on their discussions during this time period.
11 Within the last two weeks, the discussions reached an impasse and TCS
12 determined that it would proceed with its Motion to Dismiss. I am the lead
13 attorney in this matter and am responsible for completing plaintiff's Memorandum
14 of Points and Authorities in Opposition. Over the last two weeks, I have had Court
15 and other proceedings out of Los Angeles and am expected to complete a
16 videoconference deposition with a witness in Amsterdam on Monday, February 7,
17 2011, the day that plaintiff's Opposition is due. I am also completing a mediation
18 on Saturday, February 5, 2011.

19 3. Counsel for TCS has graciously agreed to adjust the current briefing
20 schedule to allow plaintiff a short three day extension of time to serve and file its
21 Opposition. The proposed date is February 10, 2011. The parties consulted the
22 Court's hearing calendar and selected the first available hearing date of March 21,
23 2011.

24 4. This request is being made for good cause and not to delay the
25 proceedings. Accordingly, plaintiff respectfully requests that the Court allow the
26 proposed continuance of the date for filing its Opposition.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of February at Los Angeles, California


George A. Shohet

