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 18 R.R. STREET & CO. INC.

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12 UNITED STATES DISTRICT COURT  
 13 EASTERN DISTRICT OF CALIFORNIA  
 14 FRESNO DIVISION

16 TEAM ENTERPRISES, LLC,

17 Plaintiff,

18 v.

19 WESTERN INVESTMENT REAL  
 20 ESTATE TRUST, aka WESTERN  
 21 PROPERTIES TRUST; et al.,

22 Defendants,

23 AND ALL RELATED CROSS-CLAIMS  
 24 AND THIRD-PARTY CLAIMS.

) No. 1:08-cv-00872-LJO-SMS  
 )  
 )  
 )

**JOINT REQUEST FOR CONTINUANCE  
 OF HEARING ON PK DEFENDANTS'  
 MOTION FOR LEAVE TO FILE AN  
 AMENDED ANSWER WITH CROSS-  
 CLAIMS AGAINST STREET  
 [L.R. 230(f)]; ORDER**

) Hearing Date: September 17, 2010  
 ) Time: 9:30 a.m.  
 ) Courtroom: 7  
 ) Judge: Hon. Sandra M. Snyder

25 Pursuant to Local Rule 230(f), Defendant R.R. Street & Co. Inc. ("Street") and Defend-  
 26 ants, Cross-Complainants, and Third-Party Plaintiffs PK II Century Center LP; Pan Pacific Retail  
 27 Properties, LLC as Successor-in-Interest to Pan Pacific Retail Properties, Inc.; Kimco Realty Com-  
 28 pany; and Prudential Real Estate Investors (collectively, the PK Defendants") respectfully request

1 a continuance of the hearing on the PK Defendants' pending motion for leave to file an amended  
2 answer with cross-claims against Street. In support of this request, Street and the PK Defendants  
3 would show the following:

4 1. The PK Defendants filed their motion for leave on August 9, 2010 and set the mo-  
5 tion for hearing before Judge O'Neill on September 8, 2010 (Doc. 333).

6 2. On August 10, 2010, Judge O'Neill sua sponte assigned the matter to this Court  
7 and reset that hearing for September 17, 2010, at 9:30 a.m. (Doc. 334).

8 3. Street and the PK Defendants believe in good faith that they can resolve this mat-  
9 ter without the necessity of a ruling by the Court, if given sufficient time to do so.

10 Therefore, Street and the PK Defendants respectfully request that the hearing on the PK  
11 Defendants' motion for leave be continued to Friday, September 24, 2010, at 9:30 a.m., or some  
12 later date that is convenient for the Court.

13 Dated: September 2, 2010.

14 Respectfully submitted,

15 /s/ Eric Grant

16 Eric Grant

17 John B. Thomas

Paula Whitten

Hicks Thomas LLP

18 Counsel for Defendant

19 R.R. STREET & CO. INC.

20 GREENBERG TRAUIG, LLP

21 By: /s/ Kathleen E. Finnerty

(as authorized on this date)

22 KATHLEEN E. FINNERTY

23 ANGELA L. DIESCH

Attorneys for Defendants,

24 PK II CENTURY CENTER LP;

PAN PACIFIC RETAIL PROPERTIES,

25 LLC AS SUCCESSOR-IN-INTEREST

TO PAN PACIFIC RETAIL

26 PROPERTIES, INC.; KIMCO REALTY

COMPANY; AND PRUDENTIAL REAL

27 ESTATE INVESTORS

1 The hearing on the PK Defendants' motion for leave to file an amended answer including  
2 cross-claims against Street is hereby continued to **Thursday, September 23, 2010, at 9:30 a.m.**  
3 **before Judge Snyder in Courtroom #7** (suggested date was Friday, September 24, 2010, at  
4 9:30 a.m.).

5 IT IS SO ORDERED.

6 Dated: September 2, 2010

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE

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