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9 Attorneys for Defendants FAIRMONT FOLSOM, LLC  
10 And CWS APARTMENT HOMES, LLC

11 **UNITED STATES DISTRICT COURT**  
12 **EASTERN DISTRICT OF CALIFORNIA**

14 EDWARD L. KEMPER, an individual,

Case No. 2:07-CV-00647-MCE-DAD

15 v.  
Plaintiffs,

STIPULATION TO EXTEND DEADLINE TO  
FILE JOINT FINAL PRETRIAL  
CONFERENCE STATEMENT; AND ORDER

18 FAIRMONT FOLSOM, LLC, and CWS  
APARTMENT HOMES, LLC,

Defendants.

Action Filed: April 4, 2007  
Trial Date: April 13, 2009

22 Plaintiff EDWARD L. KEMPER and Defendants FAIRMONT FOLSOM, LLC, and  
23 CWS APARTMENT HOMES, LLC, by and through their attorneys of record, hereby  
24 stipulate and agree to extend the deadline to file the Joint Final Pretrial Conference  
25 Statement (as established by the Court in Part VII of its Pretrial (Status) Scheduling  
26 Order) from February 20, 2009 to **February 27, 2009**.

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28 Plaintiff's counsel, Charles Ferguson, underwent abdominal surgery this morning

1 in Miami, Florida relative to a recent diagnosis of Achalasia. Mr. Ferguson was primarily  
2 involved in preparing the Joint Final Pretrial Conference Statement on Plaintiff's behalf.  
3 Local counsel Keith Cable will be taking over the completion of the statement, and will  
4 work in conjunction with defense counsel James McLaughlin in that regard. However,  
5 Mr. Cable will reasonably require additional time to complete Plaintiff's portion of the  
6 statement. Plaintiff believes there is good cause for this brief extension.

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8 **SO STIPULATED.**

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10 CABLE LAW OFFICES

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DATED: 2/19/09

By: /s/ Keith D. Cable  
KEITH D. CABLE  
Attorney for Plaintiff  
EDWARD L. KEMPER

KIMBALL, TIREY & ST. JOHN LLP

DATED: 2/19/09

By: /s/James O. McLaughlin  
James O. McLaughlin  
Attorneys for Defendants  
FAIRMONT FOLSOM, LLC, and  
CWS APARTMENT HOMES, LLC

**ORDER ON STIPULATION**

21 The parties having so stipulated, and good cause appearing therefor,

22 IT IS SO ORDERED.

23 DATED: February 20, 2009

  
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25 MORRISON C. ENGLAND, JR.  
26 UNITED STATES DISTRICT JUDGE  
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