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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**
 13

14 EDWARD L. KEMPER, an individual,

15 Plaintiffs,

16 v.

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

19 Defendants.

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

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

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

21
 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**.

27 ///

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.

7
8 **SO STIPULATED.**

9 CABLE LAW OFFICES

10 DATED: 2/19/09

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

15 KIMBALL, TIREY & ST. JOHN LLP

16 DATED: 2/19/09

17 By: /s/James O. McLaughlin
18 James O. McLaughlin
19 Attorneys for Defendants
20 FAIRMONT FOLSOM, LLC, and
21 CWS APARTMENT HOMES, LLC

22 **ORDER ON STIPULATION**

23 The parties having so stipulated, and good cause appearing therefor,
24 IT IS SO ORDERED.

25 DATED: February 20, 2009

26 
27 MORRISON C. ENGLAND, JR.
28 UNITED STATES DISTRICT JUDGE