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5 Attorneys for Plaintiff
 6 ORCHARD PARK DEVELOPMENT LLC

7 UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA

9 NATOMAS GARDENS INVESTMENT GROUP
 10 LLC, a California limited liability company,
 11 ORCHARD PARK DEVELOPMENT LLC, a
 12 California limited liability company,

13 Plaintiffs,

14 v.

15 JOHN G. SINADINOS, STANLEY J. FOONDOS,
 16 STEPHEN FOONDOS, VILLAGE CAPITAL
 17 GROUP LLC, a California limited liability company,
 18 VINTAGE CREEK LLC, et al.,

19 Defendants.

Case No. 2:08-CV-02308-LKK-EFB

**REQUEST TO CONTINUE
 STATUS CONFERENCE AND
 ORDER**

20 AND RELATED CROSS CLAIMS.

21 It is hereby requested, as agreed among the parties to the above action, that the
 22 status conference scheduled for May 21, 2012, at 2:00 p.m. be continued approximately three (3)
 23 weeks, at the discretion of the Court for specific scheduling.

24 The parties are close to agreement on the terms of a settlement. Plaintiffs and
 25 defendants have agreed to request the continuance to allow time for completing the agreement,
 26 execution by the parties and counsel, and the filing of appropriate pleadings with the Court.

27 Plaintiff Orchard Park Development LLC respectfully requests that the Court
 28 consider this application on behalf of all parties without a signed stipulation, because of the short
 time before the scheduled conference, the unavailability of all counsel for timely preparation of a
 stipulation, and in the interest of timely notification to the Court of the request. The parties have

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1 discussed the terms of settlement, defendants' counsel transmitted a draft agreement today and
2 will be unavailable in depositions in Santa Barbara and Los Angeles tomorrow. Counsel for
3 plaintiff Natomas Gardens Investment Group LLC is attending to required family medical care
4 and would be travelling from San Francisco to attend the status conference, if it is held as
5 scheduled.

6 Dated: May 16, 2012.

Respectfully submitted,

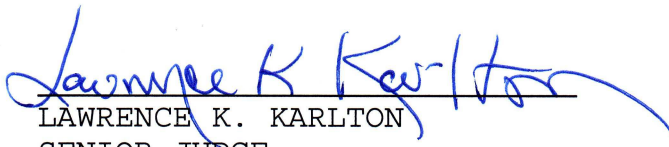
7 BARTH TOZER & DALY LLP

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9 By /s/ Thomas W. Barth
THOMAS W. BARTH

10 **ORDER**

11 **IT IS ORDERED** that the "Request," which purports to be in the nature of a
12 stipulation, but which does not comply with the Local Rules, including E.D. Cal. R. 143, is
13 hereby **DENIED**.

14 Dated: May 17, 2012.

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18 LAWRENCE K. KARLTON
19 SENIOR JUDGE
20 UNITED STATES DISTRICT COURT
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