1 2 3 4 5 6 7 8 9 10 11	Robert W. Hirsh, State Bar No. 102731 ROBERT W. HIRSH & ASSOCIATES 8383 Wilshire Boulevard, Suite 510 Beverly Hills, California 90211 Telephone: 310/275-7800 Facsimile: 310/275-4050 Email: rhirsh@hirshlaw.com Charles L. Post, State Bar No. 160443 weintraub genshlea chediak a law corporation 400 Capitol Mall, 11th Floor Sacramento, California 95814 Telephone: 916/558-6000 Facsimile: 916/446-1611 Email: cpost@weintraub.com Attorneys for Plaintiffs Carmelo Anthony, Melo Enterprises, Inc. and Chosen One Properties, LLC			
12				
13	UNITED STATES DISTRICT COURT			
14	FOR THE EASTERN DISTRICT OF CALIFORNIA			
15				
16 17	CARMELO ANTHONY; MELO ENTERPRISES, INC.; and CHOSEN ONE PROPERTIES, LLC,) Case No.: 2:09-CV-02272 WBS-KJM		
) STIPULATION TO EXTEND TIME FOR DIAINTIEE TO FUE FIRST AMENDED		
18	Plaintiffs,	 PLAINTIFF TO FILE FIRST AMENDED COMPLAINT AND ORDER THEREON 		
19				
20 21	LARRY HARMON aka LARRY W. HARMON aka LAWRENCE HARMON; LARRY HARMON & ASSOCIATES, P.A.;))) Complaint Filed: August 17, 2009		
22	HARMON-CASTILLO, LLP; FRANK CASTILLO; KELLY RUNKLE; SORA BADNES: KENNY CDUZ aka KENNETH			
23	BARNES; KENNY CRUZ aka KENNETH CRUZ; KC DEVELOPMENT, LLC; VITALIS PARTNERS, LLC;			
24	VITALIS PARTNERS, LLC; PROFESSIONAL PARTNERS, LLC; and MCG PARTNERS			
25				
26	Defendants.)		
27				
28				
	{1170123.DOC;}	Stipulation to Extend Time for Plaintiff to File Amended Complaint and Order Thereon Case No. 2:09-CV-02272		

1

This Stipulation is made by and between plaintiffs Carmelo Anthony, Melo Enterprises, Inc. and Chosen One Properties, LLC (collectively "Plaintiffs") and defendants Larry Harmon aka Larry W. Harmon aka Lawrence Harmon; Larry Harmon & Associates, P.A., Harmon-Castillo, LLP, Frank Castillo, and Vitalis Partners, LLC (collectively "Defendants").

RECITALS

WHEREAS, on November 25, 2009, the Court entered an Order granting Defendants' motion to dismiss Plaintiff's complaint, and granting Plaintiffs thirty-days from the date of the November 25, 2009 Order to file an amended complaint. *See* Docket No. 26.

WHEREAS under the Court's November 25, 2009 Order, Plaintiffs current deadline to file their amended complaint falls on December 25, 2009, a federal holiday.

WHEREAS, counsel for Plaintiffs and Defendants have conferred and agreed that in light of the Holiday season and counsel's continuing communication with each other concerning the various claims and defenses of the parties, good cause exists to allow Plaintiffs an extension of time to file their amended complaint to January 8, 2010.

WHEREAS Plaintiffs do not intend to name Kelly Runkle, Sora Barnes, Professional Partners, LLC, and/or MCG Partners as defendants to the First Amended Complaint, therefore the consent of these parties to the present stipulation is not required.

WHEREAS the default of Defendants Kenny Cruz aka Kenneth Cruz and KC Development, LLC was previously taken, therefore the consent of these parties to the present stipulation is not required.

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and Defendants, that good cause exists to extend the time within which Plaintiffs may file their amended complaint from December 25, 2009 to January 8, 2010, and the parties respectfully request the Court to enter an Order thereon.

) || ///

7 || ///

8 🛛 ///

1	IT IS SO STIPULATED.		
2	Dated: December 22, 2009		ROBERT W. HIRSH & ASSOCIATES
3			
4		By:	
5			Robert W. Hirsh
6			Attorneys for Plaintiffs Carmelo Anthony, Melo Enterprises, Inc. and Chosen One Properties, LLC
7			
8	Dated: December 22, 2009		BANKS & WATSON
9			
10		By:	/s/ - James J. Banks James J. Banks (as authorized December 22, 2009)
11 12			Attorneys for Defendants Larry Harmon aka Larry
13			W. Harmon aka Lawrence Harmon; Larry Harmon & Associates, P.A., Harmon-Castillo, LLP, Frank
14			Castillo, and Vitalis Partners, LLC,
15			
16	IT IS SO ORDERED		
17	Dated: December 23, 2009		
18	······		Ailian to shabe
19			WILLIAM B. SHUBB
20			UNITED STATES DISTRICT JUDGE
21			
22			
23			
24			
25			
26			
27			
28			
	{1170123.DOC;}		3 Stipulation to Extend Time for Plaintiff to File Amended Complaint and Order Thereon Case No. 2:09-CV-02272