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10 Attorneys for Defendants  
 11 LARRY W. HARMON, FRANK CASTILLO,  
 12 LARRY HARMON & ASSOCIATES, P.A.,  
 13 HARMON-CASTILLO, LLP, and VITALIS PARTNERS, LLC

14 UNITED STATES DISTRICT COURT  
 15 EASTERN DISTRICT OF CALIFORNIA

16 CARMELO ANTHONY, et al.,  
 17  
 18 Plaintiffs,

19 v.

20 LARRY HARMON, et al.,  
 21  
 22 Defendants.

CASE NO. 2:09-cv-02272-WBS-KJM

**STIPULATION TO EXTEND TIME TO  
 RESPOND TO FIRST AMENDED  
 COMPLAINT**

23 This stipulation is made by and between plaintiffs Carmelo Anthony, Melo Enterprises, Inc. and  
 24 Chosen One Properties, LLC (“Plaintiffs”) and defendants Larry W. Harmon, Frank Castillo, Larry  
 25 Harmon & Associates P.A., Harmon-Castillo, LLP and Vitalis Partners, LLC (“Defendants”), in light of  
 26 the following facts:

**RECITALS**

27 WHEREAS, on January 8, 2010, Plaintiffs filed their First Amended Complaint;

28 WHEREAS, Defendants’ response to the First Amended Complaint is due on or before  
 January 19, 2010;

WHEREAS, good cause exists for the extension of time for Defendants to file a responsive  
 pleading to the First Amended Complaint because a member of defendant Larry W. Harmon’s family

1 passed away during the week of January 4, 2010 and he is unavailable to assist defense counsel with  
2 responding to the First Amended Complaint;

3 WHEREAS, Plaintiffs and Defendants stipulate that Defendants may have an additional week to  
4 respond to the First Amended Complaint;

5 WHEREAS, Defendants' response to the First Amended Complaint shall now be filed on or  
6 before January 26, 2010;

7 WHEREAS, the parties further stipulate that the requested extension is not for the purposes of  
8 delay, but so that the due process of the parties is protected and so that justice may be done.

9 **STIPULATION**

10 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendants that  
11 the time within which Defendants may respond to Plaintiffs' First Amended Complaint is extended from  
12 January 19, 2010 to January 26, 2010.

13 IT IS SO STIPULATED.

14 DATED: January 15, 2010

BANKS & WATSON

15  
16 By: /s/ James J. Banks

JAMES J. BANKS  
Attorneys for Defendants LARRY W. HARMON,  
FRANK CASTILLO, LARRY HARMON &  
ASSOCIATES, P.A., HARMON-CASTILLO, LLP,  
and VITALIS PARTNERS, LLC

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19 DATED: January 15, 2010

ROBERT W. HIRSH & ASSOCIATES  
ROBERT W. HIRSH  
WEINTRAUB GENSHLEA CHEDIAK  
CHARLES L. POST

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22 By: /s/ Robert W. Hirsh (as authorized on 01/15/10)

ROBERT W. HIRSH  
Attorneys for Plaintiffs CARMELO ANTHONY,  
MELO ENTERPRISES, INC. and CHOSEN ONE  
PROPERTIES, LLC

1 IT IS SO ORDERED.

2  
3 DATED: January 19, 2010

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5 WILLIAM B. SHUBB  
6 UNITED STATES DISTRICT JUDGE  
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