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INDUSTRIES, INC., HYNES CHILDREN TF
6 LIMITED and MICHAEL HYNES

7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 SACRAMENTO E.D.M., INC., a California
corporation; DAN FOLK, an individual,

12 Plaintiffs,

13 v.

14 HYNES AVIATION INDUSTRIES,
15 INC., dba HYNES AVIATION
SERVICES, HYNES CHILDREN TF
16 LIMITED; MICHAEL K. HYNES,

17 Defendants.

18 HYNES AVIATION INDUSTRIES,
19 INC., an Oklahoma corporation;
MICHAEL K. HYNES, an individual,

20 Counter-Claimants,

21 v.

22 SACRAMENTO E.D.M., INC., a California
23 corporation; DAN FOLK, an individual,

24 Counter-Defendants.
25

No. 2:13-CV-00288-KJN

**STIPULATION AND ORDER CONTINUING
EXAMINATION OF DANIEL M. FOLK**

Current Examination Date:

Date: October 8, 2020
Time: 9:30 a.m.
Ctm: 25

Proposed Examination Date:

Date: November 12, 2020
Time: 10:00 a.m.
Ctm: 25

26 This Stipulation and Order Continuing the Examination of Daniel Folk is entered
27 into by and among defendants, cross-complainants and judgment creditors Hynes Aviation
28 Industries, Inc., Hynes Children TF Limited and Michael Hynes ("Judgment Creditor"), on the

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1 one hand and plaintiff, cross-defendant and judgment debtor Sacramento E.D.M., Inc. and Daniel
2 M. Folk (the "Examinee") on the other hand (collectively, the "Parties"), by and through their
3 respective counsel, with reference to the following facts:

4 WHEREAS, on March 9, 2020, Judgment Creditor filed an application for an
5 order requiring Examinee to appear for examination pursuant to Code of Civil Procedure
6 Section 708.110 (the "Application");

7 WHEREAS, on March 16, 2020, the Court entered an order granting the
8 Application, pursuant to which the Examinee was required to appear at the Court on May 11,
9 2020 at 10:00 a.m. in Courtroom 25 for an examination pursuant to Code of Civil Procedure
10 Section 708.110 (the "Examination");

11 WHEREAS, the Examination was continued by Minute Order of the Court on
12 May 5, 2020, to June 11, 2020 at 9:30 a.m. in Courtroom 25;

13 WHEREAS, the Examination was continued by Minute Order of the Court on
14 May 6, 2020, to June 25, 2020 at 9:30 a.m. in Courtroom 25;

15 WHEREAS, the Examination was continued by Minute Order of the Court on
16 June 24, 2020, to August 27, 2020 at 9:30 a.m. in Courtroom 25;

17 WHEREAS the Examinee and the Judgment Creditor have agreed to reschedule
18 the Examination in order to accommodate the discussion and exchange of information and
19 settlement efforts by the parties, subject to the terms and conditions of the proposed order;

20 WHEREAS the Parties have agreed, subject to Court approval and without further
21 notice, to continue the Examination from August 27, 2020 to October 8, 2020 at 9:30 a.m., or as
22 soon thereafter as the Court may designate;

23 WHEREAS the Parties have agreed, subject to Court approval and without further
24 notice, to continue the Examination from October 8, 2020 to November 12, 2020 at 10:00 a.m., or
25 as soon thereafter as the Court may designate; and

26 WHEREAS, this Stipulation is not entered into and the Proposed Order is not
27 sought for any improper purpose.

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1 NOW, THEREFORE, the Parties hereby stipulate, agree and respectfully request
2 that the Court enter an Order that:

3 The Examination is continued from October 8, 2020 to November 12, 2020 at
4 10:00 a.m.

5 The Examinee shall appear via video conference (Zoom) as the Court may instruct
6 or direct, for the Examination in Courtroom 25 of this Court on November 12, 2020 at 10:00 a.m.,
7 unless the Parties stipulate to a further continuance prior to that date. No further notice of the
8 Examination shall be required.

9 **IT IS SO STIPULATED.**

10 Dated: October 1, 2020

Respectfully submitted,

11 BARTH DALY LLP

12 By /s/Thomas W. Barth
13 THOMAS W. BARTH

14 Attorneys for Judgment Creditors HYNES AVIATION
15 INDUSTRIES, INC., HYNES CHILDREN TF LIMITED
and MICHAEL HYNES

16 Dated: October 1, 2020

BRIAN R. KATZ, Attorney at Law

17 By /s/Brian R. Katz
18 BRIAN R. KATZ

19 Attorneys for Judgment Debtors SACRAMENTO E.D.M.,
20 INC. AND DANIEL FOLK

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IT IS HEREBY ORDERED THAT:

(3) No further notice of the Examination shall be required.

Dated: October 1, 2020

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