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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

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.

No. 2:13-CV-00288-KJN

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

Current Examination Date:

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

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.

Proposed Examination Date:

Date: January 21, 2021  
 Time: 10:00 a.m.  
 Ctrm: 25

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;

26 WHEREAS the Parties have agreed, subject to Court approval and without further  
27 notice, to continue the Examination from November 12, 2020 to January 21, 2021 at 10:00 a.m.,  
28 or as soon thereafter as the Court may designate; and

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

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

5                   The Examination is continued from November 12, 2020, to January 21, 2021,  
6 at 10:00 a.m.

7                   The Examinee shall appear via video conference (Zoom) as the Court may instruct  
8 or direct, for the Examination in Courtroom 25 of this Court on January 21, 2021 at 10:00 a.m.,  
9 unless the Parties stipulate to a further continuance prior to that date. No further notice of the  
10 Examination shall be required.

11                   **IT IS SO STIPULATED.**

12 Dated: November 10, 2020.

Respectfully submitted,

13 BARTH DALY LLP

14 By           /s/Thomas W. Barth            
15 THOMAS W. BARTH

16 Attorneys for Judgment Creditors HYNES AVIATION  
17 INDUSTRIES, INC., HYNES CHILDREN TF LIMITED  
and MICHAEL HYNES

18 Dated: November 10, 2020.

BRIAN R. KATZ, Attorney at Law

19 By           /s/Brian R. Katz            
20 BRIAN R. KATZ

21 Attorneys for Judgment Debtors SACRAMENTO E.D.M.,  
22 INC. AND DANIEL FOLK

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**ORDER**

Pursuant to the parties' stipulation and good cause appearing therefor,

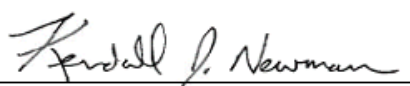
IT IS HEREBY ORDERED THAT:

The Examination of Daniel M. Folk pursuant to Code of Civil Procedure Section 708.110 is continued from November 12, 2020, to January 21, 2021, at 10:00 a.m., in Courtroom 25 of the above-entitled Court. Daniel M. Folk shall appear via video conference (Zoom) as the Court may instruct or direct for the Examination on January 21, 2021, unless the Parties stipulate to a further continuance prior to that date.

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

**IT IS SO ORDERED.**

Dated: November 10, 2020

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE