

1 BARTLETT, LEADER-PICONE & YOUNG, LLP
 2 MALCOLM LEADER-PICONE (*State Bar No. 104620*)
 3 2201 BROADWAY, SUITE 803
 4 OAKLAND, CA 94612
 TELEPHONE: 510-444-2404
 FACSIMILE: 510-444-1291
 EMAIL: mlp@leader-picone.com

5 Attorneys for Plaintiff/Judgment Creditor
 6 W. GARY WESTERNOFF, through Judgment Assignee
 KATHY SULLIVAN, dba Progressive Recovery Services

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11
 12 W. GARY WESTERNOFF, individually and)
 dba CONSTRUCTIONPLACE.COM, INC., a)
 13 California Corporation,

14 Plaintiff,

15 vs.

16 DAVID GRENIER, individually and dba C-
 RISK, INC., a Delaware Corporation,

17 Defendants.

Case No. 3:07-CV-01230-MMC

18 **Judgment Entered: August 28, 2007**
STIPULATION CONTINUING
HEARING DATE AND SETTING
BRIEFING SCHEDULE; and ORDER
THEREON.

19 New Date: May 27, 2011

New Time: 9:00 a.m.

Courtroom: 7, 19th Floor

Hon. Maxine M. Chesney

20 **STIPULATION**

21 The parties to this action, through their respective counsel, do hereby stipulate and
 22 agree as follows:

23 1. On August 28, 2007, the Court entered a default judgment in favor of plaintiff
 24 W. Gary Westernoff and against defendant David Grenier individually and dba C-RISK, INC., a
 25 Delaware Corporation.

26 2. On March 17, 2011, defendants David Grenier and C-Risk, Inc. filed a Motion
 27 to Vacate Default Judgment.

1 3. The motion to vacate was served by mail on March 18, 2011 on Kathy Sullivan,
2 plaintiff/judgment creditor's assignee, whose address is in Lynwood, Washington.

3 4. The hearing on the motion to vacate judgment was noticed for April 22, 2011;
4 making April 1, 2011 the last day to file opposition to the motion.

5 5. On March 31, 2011, Malcolm Leader-Picone and BARTLETT, LEADER-PICONE &
6 YOUNG, LLP were retained by Kathy Sullivan, plaintiff/judgment creditor's assignee, who immediately
7 contacted Robert Guite, counsel for defendants to request a continuance of the motion to allow him
8 time to prepare an opposition.

9 6. In order to avoid having to bring a motion before the Court for a continuance,
10 and in order to have the motion fully briefed on the merits on a schedule that accommodated both
11 counsel's prior commitments, the parties agreed to postpone the hearing on the motion to May 27,
12 2011, with the following briefing schedule:


- 13 a) Plaintiff's opposition is now due April 20, 2011;
- 14 b) Defendants' reply is now due May 13, 2011; and
- 15 c) Hearing Date is rescheduled to May 27, 2011.

16 7. The parties jointly request that the Court enter an order upon this Stipulation.

17 **SO STIPULATED.**

18
19 DATED: April 8, 2011.

SQUIRE, SANDERS & DEMPSEY (US) LLP

20
21 BY: 
22 ROBERT J. GUTE
Attorneys for Defendants
DAVID GRENIER and C-RISK, INC.

23 DATED: April 8, 2011.

BARTLETT, LEADER-PICONE & YOUNG, LLP

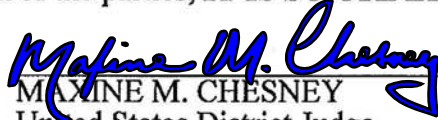
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25 BY: 
26 MALCOLM LEADER-PICONE
Attorneys for Plaintiff/Judgment Creditor
27 W. GARY WESTERNOFF, Individually and
28 dba CONSTRUCTIONPLACE.COM, INC.

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ORDER

Based upon the foregoing Stipulation of the parties, **IT IS SO ORDERED.**

DATED: April 11, 2011


MAXINE M. CHESNEY
United States District Judge