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December 17, 2008

Ms. Cora Klein  
United States District Court  
Northern District of California  
450 Golden Gate Avenue  
San Francisco, CA 94102-3483

Re: O’Keeffe’s Inc. v. John Moriarty & Associates of Florida Inc.  
U.S. District Court - Northern District California Case No. C071986(VRW)

Dear Clerk:

Please find enclosed a Stipulation for Judge Walker’s consideration. Please call me if you have any questions concerning the same.

Very truly yours,

SOLAN & PARK LLP

By   
Kevin M. Solan

KMS:kd  
Encl.

cc: Mark Schickman, Esq.

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2 (California Bar No. 118415)  
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9 Attorneys for Defendant  
10 JOHN MORIARTY & ASSOCIATES  
11 OF FLORIDA, INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO

14 O'KEEFFE'S, INC.

15 Plaintiff,

16 vs.

17 JOHN MORIARTY & ASSOCIATES OF  
18 FLORIDA, INC., et al.

19 Defendants

CASE NO. C 07 1986 (VRW)

20 **STIPULATION RE CONTINUANCE  
21 OF HEARING ON O'KEEFFE'S  
22 MOTION FOR SUMMARY  
23 JUDGMENT**

24 AND RELATED COUNTERCLAIM

25 Date: January 29, 2009  
26 Time: 2:30 p.m.  
27 Courtroom: 6

28 It is stipulated by and between counsel for all parties that the hearing on Plaintiff's Motion for Summary Judgment, or in the Alternative, Summary Adjudication of Issues, currently scheduled for January 22, 2009, may be continued by the Court until January 29, 2009 at 2:30 p.m. before the Hon. Vaughn Walker, in order to accommodate the travel schedule of counsel for Defendant John Moriarty & Associates of Florida, Inc.

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Respectfully submitted,

Dated: December 16, 2008

SOLAN & PARK LLP

By


  
Kevin M. Solan, Esq.  
Attorneys for Defendant  
John Moriarty & Associates of Florida, Inc.

I agree to the above request,

Dated: December 16, 2008

FREELAND COOPER & FOREMAN LLP

By

  
Mark I. Schickman  
Attorneys for Plaintiff O'Keeffe's Inc.

ORDER

Pursuant to the request of the Defendant, and the agreement of the Plaintiff, the hearing referred to above is continued from January 22, 2009 to January 29, 2009, at 2:30 p.m.

Dated: December 18, 2008

