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Attorneys for Defendant  
Farr Financial, Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

HOWARD B. HIGGINS, an individual,  
  
Plaintiff,

Case No. C 07-02200 JSW

vs.

**STIPULATION TO CONTINUE  
AND PROPOSED ORDER**

FARR FINANCIAL INC., a California  
Corporation, ZENITH INVESTMENT  
GROUP LLC, a California Limited  
Liability Company, AMAECHI  
GEORGE OZOR, an individual, and  
JOHN/JANE DOES I-X, individuals or  
entities whose identities are unknown,

Judge: Hon. Jeffrey S. White  
Ctrm.: 2, 17<sup>th</sup> Floor  
Trial: None Set

Defendants.

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Plaintiff Howard B. Higgins, and Defendant, Farr Financial, Inc. ("Farr") through their respective attorneys, submit this stipulation, in which they agree that oral argument on Farr's Motion to Dismiss the Eleventh Cause of Action of Plaintiff's Third Amended Complaint, currently set for 9:00 a.m. on October 30, 2009, may be continued to 9:00 a.m. on December 18, 2009.

Good cause exists to continue oral argument as set forth in this stipulation. Due to intervening conflicts in the schedules of Plaintiffs' counsel, the October 30<sup>th</sup> setting is no longer workable. There have been no prior requests to continue the hearing on Farr's motion to dismiss. Moreover, there are no other deadlines or events in this case that would be impacted by the requested continuance. The December 18<sup>th</sup> date for oral argument accommodates the schedules of all counsel.

Counsel have checked the availability dates for the Court on the Court's website. December 18, 2009 is the earliest available date, which accommodates the schedules of all counsel.

IT IS SO STIPULATED.

Dated: October 23, 2009

NORMAN G. REECE, P.C.

By: Norman G. Reece, Jr.  
NORMAN G. REECE, JR.  
Attorney for Plaintiff, Howard B. Higgins  
(Pro Hac Vice)

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Dated: October 23, 2009

LAW OFFICES OF DEK KETCHUM

By:   
JAY M. GOLDMAN  
Attorneys for Farr Financial, Inc.

**ORDER**

~~Good cause appearing, IT IS ORDERED that the stipulation is GRANTED. Oral argument on Farr Financial's Motion to Dismiss the Eleventh Cause of Action of Plaintiff's Third Amended Complaint shall be continued to 9:00 a.m. on December 18, 2009.~~ The Court DENIES the stipulation as MOOT.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: October 27, 2009

  
HON. JEFFREY S. WHITE  
United States District Judge