

1 **PAUL N. CESARI, ESQ, (BAR NO. 118110)**  
 2 **KRISTINA L. VEALRDE (BAR NO. 199299)**  
**CESARI, WERNER AND MORIARTY**  
 3 360 Post Street, Fifth Floor  
 San Francisco, CA 94108-4908  
 Telephone: (415) 391-1113  
 4 Facsimile: (415) 391-4626  
**4991-6-15**  
 5 Attorneys for Defendant  
**DANIEL EARL SPERL**

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA.

12 SUSAN WYCKOFF, individually, and as  
 13 Administratrix of the Estate of PETER  
 WYCKOFF; ALEXANDER WYCKOFF by  
 14 and through his Guardian ad Litem, SUSAN  
 WYCKOFF

15 Plaintiff,

16 v.

17 UNITED STATES OF AMERICA, DANIEL  
 18 EARL SPERL, and DOES 1 through 10,

19 Defendant.

20 CHARLIE EAP, heir at law of decedent Holly  
 21 Annie Eap,

22 Plaintiff,

23 v.

24 UNITED STATES OF AMERICA, DANIEL  
 25 EARL SPERL, and DOES 1 through 10,

26 Defendant

No. CO7 230I SI  
 No. C07 3600 SI

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE TRIAL DATE  
 BY ONE WEEK**

**I. BACKGROUND FACTS:**

This case was set for trial for September 8, 2009 at the Case Management Conference of December 15, 2008. At that time Kristina Velarde, counsel for Defendant Daniel Sperl, did not realize that the other trial counsel for Daniel Sperl, Paul Cesari, was unavailable on that date. He is available in the weeks that follow. Ms. Velarde contacted the other counsel of this case, and they all agreed to a one week continuance of the trial date, to September 14, 2009. Ms. Velarde informed the court of this conflict and subsequent agreement between counsel, and the court requested a stipulated order, which Sperl herein submits.

**II. STIPULATION:**

As discussed by all parties, it is herein stipulated that the current trial date of September 8, 2009 in the above matter will be continued one week to September 14, 2009.

**UNITED STATES ATTORNEY**

**CHAVEZ & GERTLER**

/s/ (James Scharf)\*\*

James A. Scharf, Esq.  
Attorney for Defendant  
**United States of America**

Jonathan Getler, Esq.  
Joseph Igelmund, Esq.  
**Attorneys for Plaintiffs Wyckoff**

Dated: December \_\_\_\_, 2008

Dated: December \_\_\_\_, 2008

**CESARI, WERNER & MORIARTY**

**DAVIS LAW OFFICES**

Kristina L. Velarde  
Kristina L. Velarde, Esq.  
Attorney for Defendant  
**Daniel Earl Sperl**

Andrew J. Davis, Esq.  
**Attorney for Plaintiff Eap**

Dated: December 30, 2008

Dated: December \_\_\_\_, 2008

\*\* I declare, under penalty of perjury, that I have authority to sign this Stipulation on behalf of attorney James Scharf.

Kristina L. Velarde  
Kristina L. Velarde

1 **I. BACKGROUND FACTS:**

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15 **UNITED STATES ATTORNEY**

16  
17 \_\_\_\_\_  
18 James A. Scharf, Esq.  
19 Attorney for Defendant  
20 **United States of America**

21 Dated: December \_\_, 2008


22 **CESARI, WERNER & MORIARTY**

23 \_\_\_\_\_  
24 Kristina L. Velarde, Esq.  
25 Attorney for Defendant  
26 **Daniel Earl Sperl**

27 Dated: December \_\_, 2008

28 ///  
///

**CHAVEZ & GERTLER**

16 \_\_\_\_\_  
17   
18 Jonathan Gertler, Esq.  
19 Joseph Igelmund, Esq.  
20 **Attorneys for Plaintiffs Wyckoff**

21 Dated: ~~December \_\_, 2008~~  
22 January 6, 2008 JES

**DAVIS LAW OFFICES**

23 \_\_\_\_\_  
24 Andrew J. Davis, Esq.  
25 **Attorneys for Plaintiff Eap**

26 Dated: December \_\_, 2008

1 **I. BACKGROUND FACTS:**

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15 **UNITED STATES ATTORNEY**

**CHAVEZ & GERTLER**

16  
17 \_\_\_\_\_  
18 James A. Scharf, Esq.  
19 Attorney for Defendant  
20 United States of America

\_\_\_\_\_   
Jonathan Gertler, Esq.  
Joseph Igelmund, Esq.  
Attorneys for Plaintiffs Wyckoff

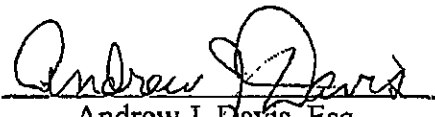
21 Dated: December \_\_, 2008

Dated: December \_\_, 2008

22 **CESARI, WERNER & MORIARTY**

**DAVIS LAW OFFICES**

23 \_\_\_\_\_  
24 Kristina L. Velarde, Esq.  
25 Attorney for Defendant  
26 Daniel Earl Sperl

  
Andrew J. Davis, Esq.  
Attorneys for Plaintiff Eap

27 Dated: December \_\_, 2008

Dated: December 31, 2008

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**III. ORDER:**

WHEREAS one of the trial counsel for Defendant Daniel Sperl is unavailable for trial to commence on September 8, 2009, and all parties agree to a one week continuance of this trial date, trial in the *Wyckoff v. Sperl and USA* and the *Eap v. Sperl and USA* cases will be continued until September 14, 2009.

**IT IS SO ORDERED.**



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SUSAN ILLSTON  
District Court Judge