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3 CLAPP, MORONEY, BELLAGAMBA and VUCINICH
4 A PROFESSIONAL CORPORATION
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8 Attorneys for Defendants
9 URI GELLER and EXPLOROLOGIST, LTD.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

12 JOHN DOE aka BRIAN SAPIENT,

13 Plaintiff,

14 v.

15 URI GELLER and EXPLOROLOGIST,
16 LTD.,

17 Defendants

CASE NO.: C07-2478 VRW

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE SEPTEMBER
20, 2007 CASE MANAGEMENT
CONFERENCE**

18 THE PARTIES, BY AND THROUGH THEIR RESPECTIVE ATTORNEYS OF RECORD,
19 HEREBY AGREE AND STIPULATE AS FOLLOWS:

20 1. This matter was filed by plaintiff JOHN DOE A/K/A BRIAN SAPIENT on May 8,
21 2007.

22 2. Defendants URI GELLER and EXPLOROLOGIST, LTD. are represented by lead
23 attorney Richard Wineland, Esq., admitted Pro Hac Vice, and by local counsel, Jeffrey M. Vucinich,
24 Esq.

25 3. Mr. Wineland was in the process of drafting Defendants' Motion to Dismiss and/or
26 Motion to Transfer Venue. His intention was to file these motions no later than September 6, 2007,
27 which would have vacated and continued the September 20, 2007 Case Management Conference until
28 after Judge Walker's rulings on said motions.

STIPULATION & ORDER TO CONTINUE 9-20-07
CMC; CASE NO. C07-2478 VRW

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1 4. Unfortunately, Mr. Winelanders son perished in a motor vehicle accident on August
2 29, 2007. Thus, he has not been able to complete these motions.

3 5. Mr. Vucinich is unable, at present, to pick up where Mr. Winelanders left off on the
4 motions, as Mr. Winelanders has been out of his Massachusetts office since the accident.
5 Defendants do intend to file the motions as soon as possible.

6 6. The parties have met and conferred on all issues as required by the Order Setting the
7 Case Management Conference.

8 7. The parties have met and conferred regarding ADR and have filed the Stipulation and
9 [Proposed] Order to participate in a session of ENE.

10 8. The parties and their counsel will file executed ADR Certifications promptly.

11 9. The parties agree, stipulate and respectfully request that the Court make an order to
12 vacate the initial Case Management Conference, currently set in this matter for September 20, 2007,
13 at 3:30 p.m. in Judge Vaughn R. Walkers Court, Courtroom 6, 17th Floor, U.S. District Court, 450
14 Golden Gate Avenue, San Francisco.

15 10. The parties agree, stipulate and respectfully request that the Court make an order to
16 allow for FRCP Rule 26(f) compliance by October 25, 2007.

17 11. Finally, the parties further agree, stipulate and respectfully request that the Court make
18 an order to continue the initial Case Management Conference to November 1, 2007, or any other date
19 convenient to the Court thereafter. This will give Mr. Winelanders time to grieve and should provide
20 Defendants with sufficient time to finish drafting the motions and to get them filed.

21 IT IS SO STIPULATED.

1 Date:

CLAPP, MORONEY,
BELLAGAMBA & VUCINICH

2
3 By: _____/s/
Jeffrey M. Vucinich
4 Attorney for Defendants,
5 URI GELLER and EXPLOROLOGIST, LTD.

6 Date:

Electronic Frontier Foundation

7
8 By: _____/s/
Corynne McSherry, Esq.
9 Attorney for Plaintiff,
10 John Doe aka Brian Sapient

11 **CASE MANAGEMENT ORDER**

12 THIS STIPULATION having been reviewed by the Court, and good cause appearing, the
13 Court orders as follows:

14 Compliance with FRCP Rule 26(f) shall occur no later than _____.

15 The Case Management Conference currently set for September 20, 2007 is hereby vacated and
16 continued to _____.

17 IT IS SO ORDERED.

18 Dated:

UNITED STATES DISTRICT JUDGE

JOHN DOE aka BRIAN SAPIENT v. URI GELLER, et al.

United States District Court, Northern District of California Case No. C07-2478 VRW

PROOF OF SERVICE

I, the undersigned, hereby declare that I am over the age of eighteen years and not a party to the within action. My business address is 1111 Bayhill Drive, Suite 300, San Bruno, CA 94066. On the date indicated below, I served the within:

**STIPULATION AND [PROPOSED] ORDER TO CONTINUE SEPTEMBER 20, 2007
CASE MANAGEMENT CONFERENCE**

on the parties in this action by transmitting a true copy of the foregoing document(s) in the following manner:

| | |
|---|---|
| <p>Jason M. Schultz, Esq. Corynne McSherry, Esq. Electronic Frontier Foundation 454 Shotwell Street San Francisco, CA 94110 Tel: (415) 436-9333 ext. 112 Fax: (415) 436-9993 <u>Attys for Plaintiff John Doe aka Brian Sapiant</u></p> | <p>Marcia Hofmann Electric Frontier Foundation 1875 Connecticut Avenue NW, Suite 650 Washington, DC 20009 Tel: (202) 797-9009 ext. 12 Fax: (202) 707-9066 <u>Attys for Plaintiff John Doe aka Brian Sapiant</u></p> |
| <p>Richard Wineland, Esq. 1005 North Calvert Street Baltimore, MA 21202 Tel: (410) 576-7980 Fax: (443) 378-7503 e-mail: rw@righverdict.com <u>Attys Pro Hac Vice for Uri Geller and Explorologist, Ltd.</u></p> | |



(BY MAIL) Pursuant to Code of Civil Procedure §1013(a), I placed a true copy thereof enclosed in a sealed envelope, addressed as set forth above, and deposited each envelope with postage fully prepaid to be placed for collection and mailing following the ordinary business practices of Clapp, Moroney, Bellagamba & Vucinich. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing of in affidavit.



(BY PERSONAL SERVICE) I caused to be delivered by hand this date each of the above documents, to the following:



(BY FACSIMILE) I caused each of the above documents to be faxed this date to the offices of the following:

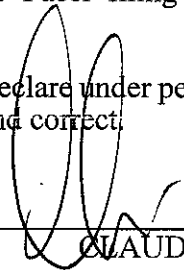


(BY FEDEX) I caused each of the above documents to be sent by FedEx this date to the offices of the following:



(BY ECP PACER) I caused to be delivered by EPC Pacer this date each of the above documents, for which our office will maintain the EPC Pacer filing receipt, to the following:

2
3 Executed on September 7, 2007 at San Bruno, California. I declare under penalty of perjury
4 under the laws of the State of California that the foregoing is true and correct.

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CLAUDIA GOMEZ