

1 Alan Himmelfarb  
 LAW OFFICES OF ALAN HIMMELFARB  
 2 2757 Leonis Blvd  
 Los Angeles, CA 90058  
 3 Telephone: (323) 585-8696  
 Fax: (323) 585-8198  
 4 consumerlaw1@earthlink.net

5 Scott A. Kamber  
 Ethan Preston  
 6 KAMBER & ASSOCIATES, LLC  
 11 Broadway, 22d Floor  
 7 New York, NY 10004  
 Telephone: (212) 920-3072  
 8 Fax: (212) 202-6364  
 skamber@kolaw.com  
 9 epreston@kolaw.com

10 *Counsel for Plaintiffs*

11 **UNITED STATES DISTRICT COURT**  
 12 **NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

14 MATTHEW ELVEY, an individual, and  
 GADGETWIZ, INC., an Arizona  
 15 corporation, on their own behalf and on  
 behalf of all others similarly situated,

16 Plaintiffs

17 v.

18 TD AMERITRADE, INC., a New York  
 19 corporation, and DOES 1 to 100,

20 Defendants.

Case No. C 07 2852 MJJ

**STIPULATED [PROPOSED] ORDER  
 CONTINUING CASE MANAGEMENT  
 CONFERENCE**

Judge: Martin J. Jenkins

22 **GROUNDS**

23  
 24 1. Plaintiffs Matthew Elvey and Gadgetwiz.com filed a First Amended Complaint  
 25 against Defendant TD Ameritrade, Inc. (“TD Ameritrade”), on June 28, 2007, and Motion for  
 26 Preliminary Injunction on July 10, 2007. TD Ameritrade filed a Motion to Dismiss the  
 27 Plaintiffs’ First Amended Complaint on July 18, 2007.



1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 IT IS SO ORDERED.

3 Date: \_\_\_\_\_

By: \_\_\_\_\_

4 THE HONORABLE MARTIN J. JENKINS  
5 UNITED STATES DISTRICT COURT JUDGE  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28