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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. BERGER and BRANT W. BERGER,

Plaintiffs,

vs.

SEYFARTH SHAW LLP, an Illinois limited liability partnership; JACK L. SLOBODIN, an individual; BURNETT, BURNETT & ALLEN, a California partnership; DOUGLAS B. ALLEN, an individual; and DOES 1-100, inclusive,

Defendants.

Case No.: 07-cv-05279-JSW

STIPULATION RE: CONTINUANCE OF LAST DATE TO FILE DISMISSAL OF CASE; ~~[PROPOSED]~~ ORDER

Honorable Judge Jeffrey S. White, Presiding
(E-Filing)

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6 of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs Richard W. Berger and Brant W. Berger (“Plaintiffs”), on the one hand, and Defendants Seyfarth Shaw LLP, Jack L. Slobodin, Burnett, Burnett & Allen and Douglas B. Allen (collectively “Defendants”), on the other hand, hereby stipulate as follows:

WHEREAS, on or about August 3, 2009, the parties in this matter entered into a settlement agreement; and

WHEREAS, a dispute has arisen between Plaintiffs and their counsel, the law firm of Beck, Ross, Bismonte & Finley, LLP (“Beck Ross”) regarding fees in this case; and

WHEREAS, the settlement agreement involves escrow arrangements between Beck Ross and Plaintiffs as to part of the disputed fees; and

WHEREAS, on August 10, 2009, by stipulation of the parties, this Court issued an order vacating the then-pending September 18, 2009 case management conference and further ordered that a dismissal of this case with prejudice be filed by no later than September 30, 2009; and

WHEREAS, additional time is required to finalize the escrow arrangements, to complete the settlement and to file the dismissal; and

WHEREAS, Plaintiffs and Defendants agree that a brief continuance of the last date by which

1 this case must be dismissed, from September 30, 2009 to October 14, 2009, is appropriate; and

2 WHEREAS, pursuant to Civil Local Rule 6-1(b), a Court order should give effect to this
3 stipulation;

4 NOW THEREFORE, Plaintiff and Defendants hereby stipulate as follows:

5 1.0 The last date by which this case must be dismissed shall be to and including October 14,
6 2009.

7 2.0 The parties ask that the Court enter an order extending the date for entry of dismissal to
8 October 14, 2009.

9 BECK, ROSS, BISMONTE & FINLEY LLP

10 Dated: October 2, 2009

11 By: /s/ Ronald C. Finley
12 Ronald C. Finley
13 *Attorneys of Record for Plaintiffs*

14 IDELL & SEITEL LLP

15 Dated: October 2, 2009

16 By: /s/ Richard J. Idell
17 Richard J. Idell
18 *Attorneys Specially Appearing for Plaintiffs*

19 KEKER & VAN NEST LLP

20 Dated: October 2, 2009

21 By: /s/ Daniel E. Purcell
22 Daniel E. Purcell
23 *Attorneys for Defendants Seyfarth Shaw LLP and Jack L. Slobodin*

24 BURNETT, BURNETT & ALLEN

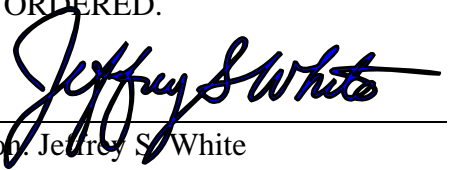
25 Dated: October 2, 2009

26 By: /s/ Douglas B. Allen
27 Douglas B. Allen
28 *Attorneys for Defendants Burnett, Burnett & Allen and Douglas B. Allen*

~~**PROPOSED**~~ ORDER

Pursuant to the foregoing Stipulation, IT IS SO ORDERED.

Dated: October 2, 2009

By: 

Hon. Jeffrey S. White
Judge of the United States District Court
Northern District of California

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