

Stonebrae LP v. Toll Bros Inc et al

Doc. 9

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11 Attorneys for Defendants  
 TOLL BROS., INC., a Pennsylvania corporation

12  
 13 **IN THE UNITED STATES DISTRICT COURT**  
 14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 15 **(SAN FRANCISCO DIVISION)**  
 16

17 STONEBRAE L.P., a Delaware limited 18 partnership, 19 20 Plaintiff, 21 22 v. 23 TOLL BROS., INC., a Pennsylvania corporation; TOLL BROTHERS, INC., a Delaware corporation; DOES 1 through 15, inclusive, 24 Defendants.	) CASE NO. C08-00221-EMC ) ) <b>STIPULATION AND [PROPOSED]</b> ) <b>ORDER CONTINUING HEARING ON</b> ) <b>(1) PLAINTIFF'S MOTION FOR</b> ) <b>SUMMARY JUDGMENT; AND</b> ) <b>(2) DEFENDANT'S CROSS-MOTION</b> ) <b>FOR PARTIAL SUMMARY JUDGMENT</b> ) ) [L.R. 6-1(a)] ) ) Before: The Honorable Edward M. Chen ) Courtroom C, 15th Flr. ) ) Date of Removal: January 11, 2008
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1 BY AND THROUGH THEIR ATTORNEYS OF RECORD, the parties hereby stipulate  
2 and agree as follows:

3 (1) The hearing on Plaintiff's Motion for Summary Judgment (Docket Nos. 65 and  
4 90) and Defendant's Cross-Motion for Partial Summary Judgment (Docket No. 71) have been  
5 fully briefed and currently are set for hearing by this Court on Wednesday, March 25, 2009;  
6

7 (2) Counsel for Toll Bros, Inc., Donald J. Putterman, Christopher J. McNamara and  
8 Margaret A. Ziemianek will be in trial before the Hon. Samuel Conte the entire week of  
9 March 23, 2009; and

10 (3) Pursuant to agreement of the parties and with approval by and Order of this  
11 Court, the hearing on Plaintiff's Motion for Summary Judgment and Defendant's Cross-Motion  
12 for Partial Summary Judgment shall be continued to April 15, 2009 at 10:30 a.m.  
13

14 IT IS SO STIPULATED.

15  
16 Dated: March 18, 2009

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

17 TIMOTHY J. HOBAN, ESQ

18  
19 By: /s/ Margaret A. Ziemianek

Margaret A. Ziemianek

20 Attorneys for Defendants

21 TOLL BROS., INC., a Pennsylvania corporation, and

22 TOLL BROTHERS, INC., a Delaware corporation

23 DATED: March 19, 2009

SHEPPARD, MULLIN, RICHTER & HAMPTON  
LLP

24 COOPER & KIRKHAM, P.C.

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26 By: /s/ Philip F. Atkins-Pattenson

27 Philip F. Atkins-Pattenson

28 Attorneys for Plaintiff

STONEBRAE L.P.

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**[PROPOSED] ORDER**

PURSUANT TO STIPULATION OF THE PARTIES,

IT IS SO ORDERED.

Date: March 20, 2009

Hon Ed  
U.S. Ma

