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RVC CORPORATION and LEGATO
18 DEVELOPMENT, L.L.C.

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21

22 RVC CORPORATION, et al.,
23 Plaintiffs,
24 v.
25 ANHELO, L.L.C., et al.,
26 Defendants.
27
28

Case No. CV 08 0975 EMC

**STIPULATION AND [PROPOSED]
ORDER EXTENDING ENE DEADLINE**

Magistrate Judge: Hon. Edward M. Chen

Trial Date: May 18, 2009

Complaint Filed: February 15, 2008

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The parties, by and through their undersigned counsel of record, hereby stipulate that the deadline for conducting an Early Neutral Evaluation conference in this action be extended from October 28, 2008 to December 17, 2008. The parties agree that this stipulation should not result in a continuance of the case management conference scheduled for October 29, 2008 at 2:00 p.m. The parties base this stipulation and request for the extension of the ENE deadline on the following:

The parties have cooperated in attempting to schedule the ENE conference since early September, but were unable to obtain an ENE date from the assigned evaluator. The parties received notice today that the original ENE appointment has been vacated and a new evaluator will be appointed as soon as possible. The parties, through counsel for defendants, Tracy Salisbury, consulted with ADR program staff attorney Robin Siefkin on October 9, 2008, who indicated that, given the fall holidays (starting with Rosh Hashanah and concluding with January 1, 2009), it may be difficult to schedule an ENE conference before the middle of December. The parties therefore stipulate to continuing the deadline for conducting the ENE conference to December 17, 2008 and respectfully request that the Court enter an order to that effect. Given the other discovery deadlines in this case, however, the parties do not believe that the case management conference set for October 29, 2008 should be continued.

DATED: October 10, 2008

SHARTSIS FRIESE LLP

By: Tracy Salisbury
TRACY SALISBURY
Attorneys for Defendants
ANHELO, L.L.C. and CERRALVO, L.L.C.

DATED: October _____, 2008

THE MAJORIE LAW FIRM LP

By: _____
DOUGLAS C. PRINCE
Attorneys for Plaintiffs
RVC CORPORATION and LEGATO
DEVELOPMENT, L.L.C.

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SHARTSIS FRIESE LLP

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20 By: _____

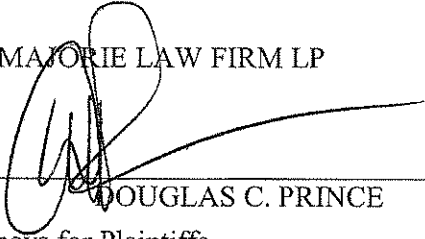
TRACY SALISBURY

21 Attorneys for Defendants
22 ANHELO, L.L.C. and CERRALVO, L.L.C.

23 DATED: October 10, 2008

THE MAJORIE LAW FIRM LP

24
25 By: _____


DOUGLAS C. PRINCE

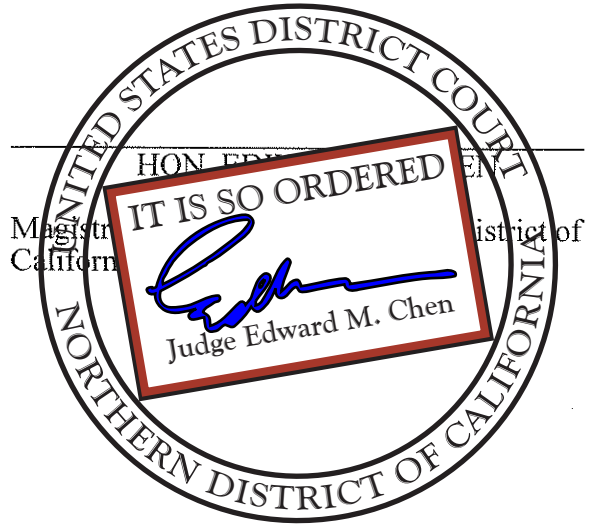
26 Attorneys for Plaintiffs
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IT IS SO ORDERED.

DATED: October 20, 2008

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