

1 JOSEPH P. RUSSONIELLO
 United States Attorney
 2 THOMAS MOORE
 Assistant United States Attorney
 3 Chief, Tax Division
 DAVID L. DENIER
 4 Assistant United States Attorney
 10th Floor Federal Building
 5 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 6 Telephone: (415) 436-6888
 Fax: (415) 436-6748
 7 **W. CARL HANKLA** (DCBN 41165)
 Trial Attorney, Tax Division
 8 United States Department of Justice
 P.O. Box 683, Ben Franklin Station
 9 Washington, D.C. 20044
 Telephone: (202) 307-6448
 10 Fax: (202) 307-0054
 E-mail: w.carl.hankla@usdoj.gov

11 IN THE UNITED STATES DISTRICT COURT FOR THE
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14 ALEXANDRE BALKANSKI TRADING)
 15 PARTNER, LO; AAB & SB, LLC, Tax)
 Matters Partner; ALEXANDRE)
 16 BALKANSKI, Sole Member-Manager,)

17 Plaintiffs,)

18 v.)

19 UNITED STATES OF AMERICA,)

20 Defendant.)

CV 08-002494 SI

STIPULATION FOR EXTENSION
 OF TIME TO ANSWER AND
 CONTINUANCE OF CASE MANAGEMENT
 CONFERENCE

21 IT IS HEREBY STIPULATED AND AGREED by the plaintiffs and defendant, pursuant to Local
 22 Rule 6-1(a), that (1) the defendant shall have an additional extension of time, from November 14, 2008
 23 through January 14, 2009, in which to answer or otherwise respond to the complaint, and (2) the case
 24 management conference, currently scheduled for December 5, 2008, should be continued to February 6,
 25 2009 or later, with the joint case management statement due a week before the conference.
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27 STIPULATION FOR EXTENSION OF TIME
 28 No. CV-08-002494 SI

The parties respectfully represent they have good cause for making this request:

1. This case is complex federal tax proceeding. It arises from the Internal Revenue Service’s proposed disallowance of millions of dollars of losses the plaintiff partnership claimed on federal tax returns by means of an allegedly abusive tax shelter. See IRS Notice 2002-35 (identifying “notional principal contract” shelters and warning that “the tax benefits purportedly generated by these transactions are not allowable for federal income tax purposes”). The plaintiffs contend that the positions taken on the tax returns were correct.
2. The parties are discussing a possible settlement based on terms similar to those on which other cases involving this type of tax shelter have been settled.
3. Postponement of the answer due date and case management conference date while settlement discussions continue would be in the interest of judicial economy.

DATED this 12th day of November, 2008.



JOSEPH P. RUSSONIELLO
 United States Attorney
 THOMAS MOORE
 Assistant United States Attorney
 Chief, Tax Division
 DAVID L. DENIER
 Assistant United States Attorney
 10th Floor Federal Building
 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-6888
 Fax: (415) 436-6748

/s/ W. Carl Hankla
W. CARL HANKLA
 Trial Attorney, Tax Division
 United States Department of Justice
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 Washington, D.C. 20044
 Telephone: (202) 307-6448
 Fax: (202) 307-0054
 E-mail: w.carl.hankla@usdoj.gov

1 DATED this 12th day of November, 2008.

2 ALEXANDRE BALKANSKI TRADING PARTNER,
3 LP; AAB & SB. LLC., Tax Matters Partner,
4 ALEXANDRE BALKANSKI, Sole Member-Manager

5 /s/ Edward M. Robbins, Jr.
6 EDWARD M. ROBBINS, JR.
7 CHARLES P. RETTIG
8 DAVID ROTH
9 HOCHMAN, SALKIN, RETTIG, TOSCHER &
10 PEREZ, P.C.
11 9150 Wilshire Boulevard, Suite 300
12 Beverly Hills, CA 90212
13 Telephone: (310) 281-3200
14 Fax: (310) 859-5129
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