

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GLEN ELLEN CAPITAL COMPANY,  
INC., a California Corporation, doing  
business as COWBOY HIDEAWAY,

No. C 08-03824 WHA

Plaintiff,

**ORDER DENYING REQUEST  
FOR CONTINUANCE**

v.

CROSS COUNTRY INTERNATIONAL  
CORP., doing business as EQUESTRIAN  
VACATIONS, and DOES 1 through 50,  
inclusive,

Defendants.

On October 24, 2008, plaintiff submitted a letter indicating that, on a conference call with the mediator, defendant represented that defendant will file a Chapter 7 bankruptcy petition in New York in the very near future. Plaintiff requested a thirty day continuance of the deadline for initial disclosures, which is currently October 30, and the deadline to answer the cross complaint. Plaintiff indicates that the mediator continued mediation discussions until November 11, 2008, to see if the petition is filed.

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Plaintiff's representation that defendant had represented to it that defendant will file a bankruptcy petition sometime in the future does not constitute good cause to continue this case. The request contains no representation by defendant that defendant intends to file a bankruptcy petition nor any explanation of the likelihood and precise timing of such a filing. The request for a continuance is therefore **DENIED**.

**IT IS SO ORDERED.**

Dated: October 27, 2008



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE