

1 STEVEN TOSCHER, State Bar No. 91115  
 CHARLES P. RETTIG, State Bar No. 97848  
 2 AVRAM SALKIN, State Bar No. 30412  
 SHARYN M. FISK, State Bar No. 199898  
 3 LACEY E. STRACHAN, State Bar No. 260680  
 Hochman, Salkin, Rettig, Toscher & Perez, P.C.  
 4 9150 Wilshire Boulevard, Suite 300  
 Beverly Hills, California 90212  
 5 Phone: 310/281-3200  
 Fax: 310/859-1430  
 6 E-Mail: sf@taxlitigator.com

7 Attorneys for Plaintiffs Santa Clara Valley Housing Group, Inc.  
 and Kristen M. Bowes

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

SANTA CLARA VALLEY HOUSING  
 GROUP, INC. and KRISTEN M. BOWES,  
  
 Plaintiffs,  
  
 v.  
  
 UNITED STATES OF AMERICA  
  
 Defendant.

**CASE NO. 08-cv-05097-WHA**  
 STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE AND  
~~PROPOSED~~ ORDER

SANTA CLARA VALLEY HOUSING GROUP, INC. (“Santa Clara”), and KRISTEN M.  
 BOWES (“Bowes”) (collectively referred to as “Plaintiffs”) and the UNITED STATES OF AMERICA  
 (“United States”), by and through their attorneys, hereby request that the Case Management Conference  
 may be continued from December 15, 2011 at 11:00 a.m. to January 19, 2012 at 11:00 a.m.

The reason for the continuance is as follows:

1. On February 14, 2011, SCVHG filed a Motion for Summary Judgment on Second Class  
of Stock Issue (Doc. #70), Bowes filed a Motion for Summary Judgment (Doc. #71) and the United  
States filed a Motion for Summary Adjudication of Issues Against SCVHG (Doc. #66).

///

1           2.       On September 21, 2011, the Court issued Order Re Parties' Cross-Motions for Summary  
2 Judgment (Doc. #96) in which it: (1) granted United States' motion for partial summary judgment; (2)  
3 denying SCVHG's motion for summary judgment; and (3) granting in part and denying in part Bowes'  
4 motion for summary judgment.

5           3.       On September 26, 2011, this case was reassigned to the San Francisco division to the  
6 Honorable William H. Alsup.

7           4.       On October 7, 2011, SCVHG filed a Notice of Motion and Motion for Leave to File a  
8 Motion for Reconsideration seeking reconsideration of the Court's Order Re Parties' Cross-Motions for  
9 Summary Judgment dated September 21, 2011 (Doc. #96).

10          5.       On October 12, 2011, the first Case Management Conference was held before this Court.  
11 In the Civil Pretrial Minutes, the Court stated that Judge Jeremy Fogel would rule on SCVHG's Notice  
12 of Motion and Motion for Leave to File a Motion for Reconsideration, the trial schedule would be set  
13 after Judge Fogel's ruling, and a further Case Management Conference was set for December 15, 2011.

14          6.       On November 1, 2011, Judge Fogel granted SCVHG's Motion for Leave to File a Motion  
15 for Reconsideration and a final briefing schedule was set.

16          7.       The United States filed its Opposition to the Motion for Reconsideration on November  
17 21, 2011 and SCVHG filed its Reply to Defendant's Opposition on November 30, 2011. This matter is  
18 submitted and before Judge Fogel.

19 ///  
20 ///  
21 ///  
22 ///  
23 ///  
24 ///  
25 ///  
26 ///  
27 ///  
28 ///

