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 16 RYAN RITTENHOUSE and
 17 SANTA CRUZ SURFING CLUB, INC.

18 UNITED STATES DISTRICT COURT
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 SANTA CRUZ SURFING CLUB
 21 PRESERVATION SOCIETY, a California
 22 nonprofit public benefit corporation; and
 23 HARRY MAYO, an individual,

24 Plaintiffs,

25 v.

26 RYAN RITTENHOUSE, an individual; and
 27 SANTA CRUZ SURFING CLUB, INC., a
 28 California corporation,

Defendants.

CASE NO. 3:08-cv-05783-SI

**STIPULATION AND [PROPOSED]
 ORDER VACATING HEARING ON
 DEFENDANTS' MOTION TO DISMISS
 AND RESCHEDULING THE JUNE 12,
 2009 CASE MANAGEMENT
 CONFERENCE**

Date Filed: December 30, 2008
 Trial Date: To be determined

STIPULATION

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2 WHEREAS, Plaintiffs Santa Cruz Surfing Club Preservation Society and Harry Mayo
3 (collectively, "Plaintiffs") filed the complaint in this matter on December 30, 2008;

4 WHEREAS Defendants Ryan Rittenhouse and Santa Cruz Surfing Club, Inc. (collectively,
5 "Defendants") filed and served their Notice of Motion and Motion to Dismiss Plaintiffs' Complaint
6 on March 13, 2009;

7 WHEREAS, a Hearing on Defendants' Motion to Dismiss is currently set for June 12, 2009 at
8 9:00 a.m.;

9 WHEREAS, the initial Case Management Conference in this matter has been set for June 12,
10 2009 at 2:30 p.m.;

11 WHEREAS, Plaintiffs and Defendants mediated under the supervision of the Honorable Read
12 Ambler (Ret.) on April 10, 2009 and executed a term sheet setting forth the material terms of a
13 settlement at the close of mediation;

14 WHEREAS, the parties are engaged in ongoing discussions regarding the final settlement
15 documents; and

16 WHEREAS, Plaintiffs and Defendants agree that moving the Case Management Conference
17 and related dates is necessary to provide the parties with sufficient time to resolve the matter without
18 further litigation;

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[PROPOSED] ORDER

The initial Case Management Conference scheduled for June 12, 2009 at 2:30 p.m. is hereby rescheduled for July 10, 2009 at 2:30 p.m. All related dates are rescheduled accordingly. The hearing on Defendants' Motion to Dismiss scheduled for June 12, 2009 at 9:00 am is hereby vacated.

IT IS SO ORDERED.

Dated: _____



Hon. Susan Illston
U.S. District Court Judge

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