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 14 SANTA CRUZ SURFING CLUB, INC.
 15

16 UNITED STATES DISTRICT COURT
 17 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 18

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

22 Plaintiffs,

23 v.

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

25 Defendants.
 26

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

**STIPULATION AND [PROPOSED]
 ORDER RESCHEDULING THE MARCH
 5, 2010 CASE MANAGEMENT
 CONFERENCE**

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

1 STIPULATION

2 WHEREAS, the Court held a Case Management Conference in this matter on September 18,
3 2009;

4 WHEREAS, at the September 18, 2009 Case Management Conference, the Court ordered the
5 parties to this action to participate in a settlement conference with Magistrate Judge Spero, and
6 ordered a further Case Management Conference be held on November 20, 2009;

7 WHEREAS, the parties participated in a settlement conference with Magistrate Judge Spero
8 on October 19, 2009;

9 WHEREAS, at the request and by stipulation of the parties, the Court has continued the Case
10 Management Conference three times since then to allow the parties time to complete a settlement,
11 most recently to March 5, 2010;

12 WHEREAS, the parties have, since the settlement conference, drafted a global Settlement
13 Agreement that includes a fully drafted commercial agreement with a third party. There remains one
14 issue in the third party agreement that needs to be resolved, and the parties are waiting for a response
15 from the third party on the one remaining issue. The parties hoped to receive a response from the
16 third party on February 26, 2010, but were told by the third party on February 26th that it has not yet
17 formulated a response on the remaining issue. In addition, Defendants and their insurer have
18 negotiated a separate agreement that is complete and nearly final, except as to one or two points. If
19 the parties are not able to resolve these remaining issues, they intend to return to return to Magistrate
20 Judge Spero to seek his assistance in resolving it, and will reserve a further settlement conference
21 date with Judge Spero for that purpose. In the meantime, the parties would like to ask the Court to
22 continue the Case Management Conference for 30 to 45 days, in which time the parties hope to
23 complete their settlement.

24 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiffs
25 and Defendants, through their respective attorneys of record, based on the foregoing, and subject to
26 approval of this Court, that the following events are rescheduled as indicated below:
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