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 14 RYAN RITTENHOUSE and
 15 SANTA CRUZ SURFING CLUB, INC.

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 APRIL 9,
 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 four times since then to allow the parties time to complete a settlement,
11 most recently to April 9, 2010;

12 WHEREAS, two settlement agreements (one between the parties and one between the
13 defendants and their insurer) are now in final form and are being executed; and

14 WHEREAS, the Parties anticipate needing approximately 30 days to collect signatures and
15 fund and close the settlement, and anticipate that a request for dismissal will be filed on or before
16 May 3, 2010.

17 **THEREFORE**, in an effort to avoid further burdening the Court’s docket, the Parties
18 respectfully request that the Court take the Case Management Conference currently set for April 9,
19 2010 off calendar pending the anticipated filing of a request for dismissal once the settlement is
20 concluded. Should the Court wish to keep a date on calendar, the Parties agree that a further case
21 management conference could be set, if necessary, for May 14, 2010 at 3:00 p.m., or on such other
22 date and time as the Court deems appropriate.

23 **IT IS SO STIPULATED.**

24 Dated: April 2, 2010

GIBSON, DUNN & CRUTCHER LLP

25
26 By: _____
Steven J. Johnson

27 Attorneys for Plaintiffs
28 SANTA CRUZ SURFING CLUB PRESERVATION
SOCIETY and HARRY MAYO

1 Dated: April 2, 2010

SHEPPARD MULLIN RICHTER & HAMPTON LLP

2
3 By: _____
James M. Chadwick

4 Attorneys for Defendants
5 RYAN RITTENHOUSE and
6 SANTA CRUZ SURFING CLUB, INC.

7 **[PROPOSED] ORDER**

8 **PURSUANT TO STIPULATION, IT IS HEREBY ORDERED** that the case management
9 conference set for April 9, 2010 at 3:00 p.m. is taken off calendar.

10 Further case management conference set for 5/14/10 at 3 p.m. with
11 a joint statement due one week prior.

SO ORDERED.

12 Dated: _____

13 

14 _____
15 Hon. Susan Illston
16 U.S. District Court Judge