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5 Attorney for Defendants  
 CAREY F. DALY, II  
 6 and RANDALL J. LANHAM

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11  
 12 **ENCOMPASS HOLDINGS, INC.**  
**a Nevada Corporation,**

13  
 14 **Plaintiff,**

15 **vs.**

16 **CAREY F. DALY, II, an individual, and**  
**RANDALL J. LANHAM, an individual,**

17 **Defendants.**

18 **AND RELATED CROSS-CLAIM.**

**Case No. C 09-1816 PJH**

**STIPULATION FOR CONTINUANCE OF  
 CASE MANAGEMENT CONFERENCE  
 SET FOR AUGUST 6, 2009 AND ALL  
 CASE MANAGEMENT DEADLINES AND  
 CONFERENCES**

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 20  
 21 **STIPULATION**

22 1. The parties hereto, Plaintiff ENCOMPASS HOLDINGS, INC (herein, "Encompass" or  
 23 "Plaintiff") and Defendants and Cross-Complainants CAREY F. DALY, II and RANDALL J.  
 24 LANHAM (herein, "Defendants"), being all of the parties so far appearing in this action, hereby  
 25 stipulate and request, subject to the approval of this Court, that the Case Management Conference  
 26 currently scheduled for August 6, 2009 at 2:00 P.M. and all related deadlines and conferences,  
 27 including initial disclosures required pursuant to Rule 26(a), be continued to October 1, 2009 or  
 28 such other date as is mutually convenient to the Court and counsel. This stipulation and request is  
 based upon the facts stated below.

**STIPULATION FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE SET FOR  
 aUGUST 6, 2009 AND ALL CASE MANAGEMENT DEADLINES AND CONFERENCES**

1 2. Defendants' counsel, Paul J. Steiner, a sole practitioner, has a conflict at the time set for  
2 this hearing. On July 27, 2009, the Superior Court of California for the County of San Mateo, in a  
3 case entitled Kassin v. HAS Parking Company of America, Case No. CIV472261, set a Mandatory  
4 Settlement Conference in Redwood City for July 6, 2009 at 2:00 P.M., one half hour earlier than the  
5 Case Management Conference in this matter. The Kassin case is set for trial on August 17, 2009.  
6 Defendants' counsel asserts that he cannot attend both hearings, and that the Mandatory Settlement  
7 Conference involves scheduling before a panel of attorneys, and involves a client who resides in the  
8 State of Virginia.

9 3. There is pending a Motion to Disqualify Defendants' counsel based on a claimed conflict  
10 of interest. That motion is set for hearing on September 2, 2009. The parties and counsel agree and  
11 believe that the Case Management Conference will be more useful after that motion is determined.

12 4. The individually named cross-defendants have not yet been served or appeared. Counsel  
13 for Cross-Complainants anticipates that they will be served by the end of this month. The parties  
14 and counsel agree and believe that the Case Management Conference will be more useful after the  
15 individual defendants appear.

16 5. Based on the foregoing, the parties hereto stipulate, and request the Court to grant a  
17 continuance of the Case Management Conference currently set for August 6, 2009 to <sup>November 5</sup> ~~October 1,~~  
18 2009 or such other time as the Court and counsel may agree, and that the deadlines and conferences  
19 related to the Case Management Conference, including initial disclosures pursuant to Rule 26(a), be  
20 continued accordingly.

21  
22 THE FOREGOING IS SO STIPULATED:

23  
24 DATED: August 5, 2009

MANASIAN & ROUGEAU, LLP

25  
26 By:         /s/ Gregory A. Rougeau          
27 Gregory A. Rougeau  
28 Attorneys for Plaintiff Encompass Holdings, Inc.

1 DATED: August 5, 2009

LAW OFFICE OF PAUL J. STEINER

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By: \_\_\_/s/ Paul J. Steiner\_\_\_\_\_  
Paul J. Steiner,  
Attorneys for Defendants  
Carey F. Daly, II and Randall J. Lanham

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8/6/09



**EXHIBIT “A”**

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18 **AND RELATED CROSS-CLAIM.**

19  
20 **[Proposed}**

21 **ORDER GRANTING CONTINUANCE OF CASE MANAGEMENT CONFERENCE AND**  
22 **RELATED DEADLINES AND CONFERENCES**

23 Upon consideration of the Stipulation of the parties set forth above, and good cause  
24 appearing therefore,

25 **IT IS HEREBY ORDERED THAT:**

26 (1) The Case Management Conference set for August 6, 2009 at 2:30 P.M. is cancelled and  
27 the same is reset for hearing on \_\_\_\_\_ at \_\_\_\_\_.  
28

(2) The ADR compliance filings shall be made on or before \_\_\_\_\_, and that the joint Case Management Statement shall filed on or before \_\_\_\_\_.

DATED: August \_\_\_\_\_, 2009

\_\_\_\_\_  
PHYLLIS J. HAMILTON  
Judge of the United States District Court,  
Northern District of California

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