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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

13 SECURITIES AND EXCHANGE
 14 COMMISSION,

Plaintiff,

vs.

16 MOUNIR FAYEZ KARA,
 17 (also known as Michael F. Kara)

Defendant

) Case No.: 09-cv-1880 EMC

) **STIPULATION AND [PROPOSED]**
) **ORDER TO CONTINUE MOTION**
) **FOR SUMMARY JUDGMENT**

1 On August 27, 2015, this Court ordered Plaintiff Securities and Exchange
2 Commission (“Commission”) to file a Motion for Summary Judgment by October 29,
3 2015, with Defendant Mounir (Michael) Kara to file an opposition on November 19,
4 2015. The reply is due on December 3, 2015, and the hearing is set for December 17,
5 2015 at 1:30 p.m.; a further Case Management Conference was scheduled for the same
6 date and time . An updated Case Management Statement was ordered to be filed by
7 December 10, 2015(Docket No. 148).

8 Defense counsel, Ismail Ramsey (appointed as CJA counsel) and Katharine Kates,
9 are starting a six-week criminal ERISA fraud trial before the Honorable Yvonne
10 Gonzalez Rogers of this Court on October 30, 2015, USA v. Benson, Case No. 4:12-cr-
11 00480-YGR. In connection with the case, defense counsel have also commenced a
12 Kastigar hearing before Judge Cousins on October 20, which is continuing daily.

13 Due to the time commitment necessary to adequately prepare for and participate in
14 the trial and the related evidentiary hearing, it would not also be possible for defense
15 counsel to respond to a motion for summary judgement on the current schedule. Defense
16 counsel has therefore requested that the Commission stipulate to a request that the Court
17 continue the Briefing Schedule and Hearing for the Motion for Summary Judgment. In
18 view of the reasons presented by defense counsel, the Commission does not oppose this
19 request.

20 Therefore, the parties hereby stipulate and request that the Court set a new hearing
21 date and briefing schedule as follows:

- 22
- 23 • December 21, 2015 : Plaintiff’s Motion for Summary Judgment to be filed
- 24 • January 6, 2016: Defendant’s Opposition to Motion for Summary Judgment to be
25 filed
- 26 • January 21, 2016: Plaintiff’s Reply to be filed
- 27 • January 28, 2016: Updated Case Management Statement to be filed
- 28

- 1 • February 4, 2016: Hearing on Plaintiff's Motion for Summary Judgment/ Further
2 Case Management Conference at 1:30 pm
3

4 Dated: October 21, 2015

Respectfully Submitted,

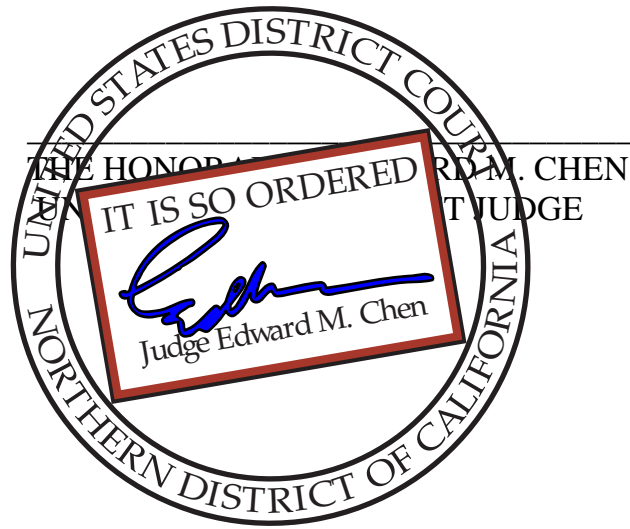
RAMSEY & EHRLICH LLP

//s//

ISMAIL J. RAMSEY
ATTORNEY FOR MOUNIR KARA

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10 GOOD CAUSE HAVING BEEN SHOWN, IT IS SO ORDERED.

11 Dated: October 26, 2015



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