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

11 KENNEDY FUNDING, INC., a New Jersey Corporation,
12)

13 Plaintiff,

14 v.

15 NICHOLAS CHAPMAN, an individual; JIREH)
EDUCATIONAL MINISTRIES, INC., a)
California Nonprofit Corporation; NEWPORT)
16 AVALON MINISTRIES, a California entity;)
DOUGLAS ALLEN, an individual, BURNETT,)
17 BURNETT & ALLEN, a California company;)
and DOES 1 through 50, Inclusive)

18 Defendants.
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

Case No. 09-1957-CRB

~~PROPOSED~~ ORDER GRANTING
STIPULATION REGARDING MOTIONS
TO DISMISS, SECOND AMENDED
COMPLAINT, CASE MANAGEMENT
CONFERENCE, AND RELATED
DEADLINES

1 The Stipulation Regarding Motions To Dismiss, Second Amended Complaint, Case
2 Management Conference, And Related Deadlines (the "Stipulation") by and among Plaintiff
3 Kennedy Funding, Inc. ("Kennedy" or "Plaintiff") and Nicholas Chapman ("Chapman"), Douglas
4 Allen ("Allen"), JIREH Educational Ministries, Inc. ("JIREH"), Newport Avalon Ministries
5 ("Ministries") and Burnett, Burnett & Allen ("BBA", together with Chapman, Allen, JIREH,
6 Ministries, the "Defendants", the Defendants and the Plaintiff are the "Parties") was filed with the
7 Court on June 30, 2009. The Court having read and considered the Stipulation:

8 **PURSUANT TO STIPULATION IT IS SO ORDERED THAT:**

- 9 1. The Motions to Dismiss filed by Defendants are hereby ordered off-calendar without
10 prejudice.
- 11 2. Kennedy shall file a Second Amended Complaint (the "SAC") no later than 10 days
12 after the Court enters an order granting this Stipulation ~~or by _____, 2009.~~
- 13 3. Defendants shall file a response to the SAC no later than 30 days after the SAC is filed
14 ~~or by _____, 2009.~~
- 15 4. The Initial Case Management Deadlines (as defined in the Stipulation) are continued to
16 30 days after the Defendants file a response to the SAC ~~or to _____, 2009.~~ If the
17 Defendants file any Federal Rule of Civil Procedure 12 motion in response to the SAC, the Initial
18 Case Management Deadlines are continued to 30 days after the Court enters an order on any such
19 FRCP 12 motion ~~or to _____, 2009.~~
- 20 5. The Case Management Conference is continued from August 21, 2009 to October 2,
21 2009 at 8:30 a.m.

22
23 Dated: July 2, 2009

