

E-Filed 1/12/10

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 8 GHIRARDELLI SQUARE GARAGE; JMA
 VENTURES LLC; and COCOA PRC II
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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13

14 SEBASTIAN DEFRANCESCO,

15 Plaintiff,

16 v.

17 COCOA DEVELOPMENT RETAIL, LLC
 dba GHIRARDELLI SQUARE GARAGE;
 18 JMA VENTURES LLC; COCOA PRC II; and
 DOES 1-10, Inclusive,
 19

20 Defendants.

Case No. C09-02044 (RS)

**NOTICE OF SETTLEMENT AND
 STIPULATION AND ORDER TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE**

21
 22 **NOTICE OF SETTLEMENT**

23 The parties in the above-referenced action hereby provide notice to the Court that this
 24 action is and has been settled. On August 11, 2010, the Court entered a mutually agreeable
 25 Consent Decree and Order, which specified the corrective work that Cocoa Development Retail,
 26 LLC's successor-in-interest will perform at the relevant premises and which provided that the
 27 Court would retain jurisdiction of this action until that corrective work was completed. On
 28 December 17, 2010, the parties entered into a Settlement Agreement, which resolved all remaining

11811.008.1644176v1

Case No. C09-02044 (RS)

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1 issues, including, but not limited to, all issues related to damages, attorney fees and costs.

2 **STIPULATION TO CONTINUE CASE MANAGEMENT CONFERENCE**

3 Cocoa Development Retail, LLC's successor-in-interest has not yet satisfied its obligations
4 under the Consent Decree and under that Consent Decree, it is not required to do so until at least
5 April 22, 2011.

6 In light of the parties' settlement and the ongoing corrective work under the Consent
7 Decree, the parties, by and through their counsel of record, stipulate and agree to continue the
8 Case Management Conference now scheduled for January 20, 2011 at 10:00 a.m. to Thursday,
9 May 26, 2011, at 10:00 a.m.

10 IT IS SO STIPULATED.

12 DATED: January 12, 2011

COBLENTZ, PATCH, DUFFY & BASS LLP

14 By: /s/ Clifford E. Yin

15 Clifford E. Yin

16 Attorneys for Defendants COCOA
DEVELOPMENT RETAIL, LLC dba
GHIRARDELLI SQUARE GARAGE; JMA
VENTURES LLC; and COCOA PRC II

17 DATED: January 12, 2011

LAW OFFICES OF PAUL L. REIN

20 By: /s/ Celia McGuiness

21 Celia McGuiness

22 Attorneys for Plaintiff
SEBASTIAN DEFRANCESCO

23 PURSUANT TO STIPULATION, IT IS SO ORDERED:

26 Dated: 1/12, 2011

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HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE