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8 Attorneys for Defendant
 9 ROBERT DeBENEDICTIS

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IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

VAN DE POEL, LEVY & ALLEN, LLP,
 Plaintiff,
 v.
 ROBERT DeBENEDICTIS,
 Defendant.

Case No. 09 CIV 02138 SC

**STIPULATION AND PROPOSED
 ORDER EXTENDING THE EARLY
 NEUTRAL EVALUATION
 DEADLINE**

IT IS HEREBY STIPULATED that Plaintiff VAN DE POEL, LEVY & ALLEN, LLP and Defendant ROBERT DEBENEDICTIS agree to continue the date of their Early Neutral Evaluation (ENE) session to November 16, 2009 to accommodate defendant and defense counsel who are currently in trial in another matter. The parties' Early Neutral Evaluator, Stephen G. Blitch, is has agreed to conduct the ENE session on November 16, 2009.

IT IS SO STIPULATED.

DATED: November 6, 2009

LECLAIRRYAN LLP

By: /s/ Peter M. Hart
 PETER M. HART
 Attorneys for Defendant
 Robert DeBenedictis

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DATED: November 6, 2009

VAN DE POEL, LEVY & ALLEN, LLP

By: /s/ John Van De Poel
JOHN VAN DE POEL
VINCENT ADAMS
Attorneys for Plaintiff
Van de Poel, Levy & Allen, LLP

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ROBERT DeBENEDICTIS

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8 IN THE UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 VAN DE POEL, LEVY & ALLEN, LLP,

11 Plaintiff,

12 v.

13 ROBERT DeBENEDICTIS,

14 Defendant.

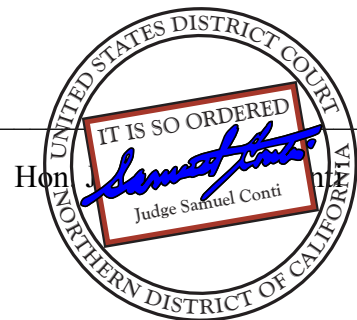
Case No. 09 CIV 02138 SC

[PROPOSED] ORDER

15
16 IT IS HEREBY ORDERED that Early Neutral Evaluation in this matter shall take place
17 on November 16, 2009.

18 IT IS SO ORDERED.

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20 Date: November 10, 2009



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CERTIFICATE OF FILING

I hereby certify that on November 6, 2009, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send a notification of electronic filing to the following CM/ECF Participants:

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ATTORNEY TO BE NOTICED

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