

1 Marc S. Schechter, Bar No. 116190
 2 Susan L. Meter, Bar No. 236133
 3 Elizabeth M. Sales, Bar No. 250992
 4 BUTTERFIELD SCHECHTER ♦LLP
 5 10616 Scripps Summit Court, Ste. 200
 6 San Diego, California 92131-3961
 7 (858)444-2300/FAX (858)444-2345
 8 mschechter@bsllp.com
 9 smeter@bsllp.com
 10 esales@bsllp.com

11 Attorneys for Plaintiff John Balsley

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

14 JOHN BALSLEY,
 15
 16 Plaintiff,
 17
 18 v.

19 TRUSTEES OF THE DELTA STAR
 20 EMPLOYEE STOCK OWNERSHIP
 21 PLAN; DELTA STAR, INC., a Delaware
 22 corporation; JASON GREENE, an
 23 individual; and DOES 1 through 100,
 24
 25 Defendants.

26 CASE NO. 09-cv-02952 TEH JCS

27 Assigned For All Purposes To:
 28 Judge: Hon. Thelton E.Henderson
 Dept.: Courtroom 12, 19th Floor

STIPULATION REQUESTING TO VACATE
 MOTION HEARING FOR EXTENSION OF
 TIME FOR DISCOVERY AND DISPOSITIVE
 MOTIONS SCHEDULED FOR NOVEMBER
 1, 2010

Complaint Filed: June 30, 2009
 Trial Date: February 15, 2011

19 Plaintiff and Defendants hereby submit this Stipulation Requesting to Vacate Motion
 20 Hearing for Extension of Time for Discovery and Dispositive Motions Scheduled for
 21 November 1, 2010, as the parties have resolved the underlying discovery dispute for which
 22 this motion was brought.

23 ./././
 24 ./././
 25 ./././
 26 ./././
 27 ./././
 28 ./././

BUTTERFIELD
 SCHECHTER
 ♦LLP
 (00177873.DOC)

1 WHEREFORE, Plaintiff and Defendants respectfully request this Court grant this Joint
2 Motion for to Request to Vacate Motion Hearing for Extension of Time for Discovery and
3 Dispositive Motions Scheduled for November 1, 2010.

4 DATED: October 28, 2010

BUTTERFIELD SCHECHTER ♦ LLP

5
6 By: s/Susan L. Meter
7 MARC S. SCHECHTER
8 SUSAN L. METER
9 ELIZABETH M. SALES
10 Attorneys for Plaintiff
11 John Balsley

12 DATED: October 28, 2010

DLA PIPER LLP (US)

13 By: s/Hope Anne Case
14 HOPE ANNE CASE
15 NEIL J. DILLOFF
16 DALE K, CATHELL
17 Attorneys for Defendants
18 Trustees Of The Delta Star Employee Stock
19 Ownership Plan; Delta Star, Inc, and Jason
20 Greene

21 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 DATED: October ²⁹~~28~~, 2010

23 By: Thelton E. Henderson
24 HONORABLE
25 UNITED STATES DISTRICT COURT
26 NORTHERN DISTRICT OF CALIFORNIA
27 Judge Thelton E. Henderson