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13 ATTORNEYS FOR JOHN VAN CUREN,
 AS TRUSTEE OF THE CHAPTER 11 ESTATE
 14 OF MICHAEL HAT, A/K/A MICHAEL HAT
 FARMING COMPANY

15
 16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19 JOHN VAN CUREN, AS TRUSTEE OF)
 20 THE CHAPTER 11 ESTATE OF)
 MICHAEL HAT, A/K/A MICHAEL HAT)
 21 FARMING COMPANY,)
 22 Plaintiff,)
 23 v.)
 24 FEDERAL CROP INSURANCE)
 COMPANY, RISK MANAGEMENT)
 25 AGENCY,)
 26 Defendants.)

No. C 09-3509 VRW

**STIPULATION AND ~~PROPOSED~~
 ORDER TO POSTPONE ALL CASE
 MANAGEMENT DEADLINES
 PENDING THE DECISION ON
 DEFENDANTS' MOTION TO DISMISS**

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 28
 STIPULATION AND PROPOSED ORDER
 Cases C 09-3509 VRW

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THE PARTIES HEREBY STIPULATE AND AGREE AS FOLLOWS:

1. The pending case management deadlines in this matter, including the deadline for the parties to meet and confer regarding Rule 26 initial disclosures, early settlement, ADR selection and a discovery plan; the filing of a stipulation selecting an ADR method; service of Rule 26 initial disclosures, and filing of a report regarding discovery, should be postponed until after the Court decides defendant's motion to dismiss for failure to state a claim and for lack of jurisdiction and in the alternative to dismiss for improper venue.
2. The motion is scheduled for hearing on January 7, 2010.
3. The parties request that the Court, if appropriate following the ruling on defendant's motion, set a new date and time for the initial case management conference, with dates for exchange of initial disclosures, discussion of early settlement, ADR selection and discovery plan derived from the date for the initial case management conference.

SO STIPULATED.

DATED: November 3, 2009

MEYERS LAW GROUP, PC

/s/

MERLE C. MEYERS, ESQ.
Attorney for Plaintiff JOHN VAN CUREN

DATED: November 9, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

/s/

JONATHAN U. LEE
Assistant United States Attorney
Attorneys for Defendants FEDERAL CROP
INSURANCE COMPANY, RISK
MANAGEMENT AGENCY

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

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DATED: 11/9/2009

