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Attorney for specially appearing Defendants CLEMENT
 10 RESTAURANTS, INC. and CLEMENT INVESTMENT, LLC

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
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16 CRAIG YATES,

Plaintiff,

18 v.

19 CLEMENT RESTAURANTS, INC., a
 California corporation; CLEMENT
 20 INVESTMENT, LLC, a California limited
 liability company; and WELLS FARGO BANK
 21 NATIONAL ASSOCIATION TRUST,

Defendants.
 22

CASE NO. CV-09 3978 SI

**STIPULATION TO EXTEND TIME FOR
 SPECIALLY APPEARING DEFENDANTS
 CLEMENT RESTAURANTS, INC. AND
 CLEMENT INVESTMENT, LLC TO FILE A
 RESPONSIVE PLEADING TO
 PLAINTIFF'S COMPLAINT; ORDER
 THEREON**

Complaint filed: August 27, 2009
 Trial date: none set
 23

24 IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel for
 25 Plaintiff CRAIG YATES ("Plaintiff"), and specially appearing Defendants CLEMENT RESTAURANTS,
 26 INC., a California corporation and CLEMENT INVESTMENT, LLC ("Defendants"), that Defendants
 27 shall be allowed an extension of time to file its responsive pleading to the Complaint for Injunctive Relief
 28 and Damages on file herein (the "Complaint"). As a result of this grant of extension, Defendants' responsive

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CV 09-3978 SI
 STIPULATION FOR DEFENDANT TO FILE
 RESPONSIVE PLEADING

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pleading will become due on or before October 28, 2009.

DATED: September 30th, 2009

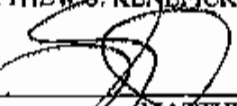
THOMAS E. FRANKOVICH

By: 

THOMAS E. FRANKOVICH
Attorneys for Plaintiff CRAIG YATES

DATED: September 29, 2009

JEFFER, MANGELS, BUTLER & MARMARO LLP
MARTIN H. ORKICK
MATTHEW S. KENEFICK

By: 

MATTHEW S. KENEFICK
Attorneys for specially appearing Defendants CLEMENT
RESTAURANTS, INC. and CLEMENT INVESTMENT,
LLC

*** ORDER ***

PURSUANT TO STIPULATION, IT IS SO ORDERED,



DATED: _____

Judge of the United States District Court

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CERTIFICATE OR PROOF OF SERVICE

State of California)
) ss
County of San Rafael)

I, the undersigned, say: I am and was at all times herein mentioned, a citizen of the United States, over the age of eighteen (18) years and not a party to the within action or proceeding; that my business address is 4328 Redwood Hwy, Suite 300, San Rafael, CA 94903; that on the below date, following normal business practice, I served the foregoing document, described as:

STIPULATION TO EXTEND TIME FOR SPECIALLY APPEARING DEFENDANTS CLEMENT RESTAURANTS, INC. AND CLEMENT INVESTMENT, LLC TO FILE A RESPONSIVE PLEADING TO PLAINTIFF'S COMPLAINT; ORDER THEREON

on the interested parties in this action, conveyed as follows:

- by depositing true copies thereof, enclosed in a sealed envelope, with postage thereon fully prepaid:
 - in first class U.S. Mail
 - in ___ priority or ___ standard overnight mail via Federal Express.

I am readily familiar with this office's practice for collection and processing of correspondence for mailing with the United States Postal Service or Federal Express. In the ordinary course of business, correspondence, including said envelope, will be deposited with the United States Postal Service or Federal Express in San Rafael.

- by transmitting via facsimile to the fax number(s) set forth below.

addressed to:

Martin H. Orlick
Matthew S. Kenefick
Jeffer, Mangels, Butler & Marmaro LLP
Two Embarcadero Center 5th Fl.
San Francisco, CA 94111
(415) 398-5584

I declare under penalty of perjury under the laws of the State of California that I am employed in the office of a member of the bar of this court at whose direction the service was made, and that the foregoing is true and correct. Executed this October 1, 2009, at San Rafael, California.


Armetrice Cooper
(Original signed)