

1 Gregory D. Brown, State Bar No. 065318
 2 Robert M. Bodzin, State Bar No. 201327
 3 Kevin M. Larson, State Bar No. 245324
 4 BURNHAM BROWN
 5 A Professional Law Corporation
 6 P.O. Box 119
 7 Oakland, California 94604
 8 ---
 9 1901 Harrison Street, 11th Floor
 10 Oakland, California 94612
 11 Telephone: (510) 444-6800
 12 Facsimile: (510) 835-6666
 13 E-Mail addresses: gbrown@burnhambrown.com
 14 rbodzin@burnhambrown.com
 15 kl Larson@burnhambrown.com

16 Attorneys for Plaintiff BURNHAM BROWN,
 17 A PROFESSIONAL LAW CORPORATION

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

20 BURNHAM BROWN A PROFESSIONAL
 21 LAW CORPORATION,

22 Plaintiff,

23 v.

24 DONALD KUNKEL, ADVANCED
 25 RECYCLING EQUIPMENT, INC. and BIO-
 26 MASS ENERGY CONCEPTS, LLC,

27 Defendants.

No. CV 09 4811 MMC

**STIPULATION TO CONTINUE INITIAL
 CASE MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER**

AND DIRECTIONS TO PARTIES

Complaint Filed: October 8, 2009

28 Plaintiff BURNHAM BROWN A PROFESSIONAL LAW CORPORATION,
 (“Burnham Brown”) hereby stipulates and respectfully requests that the Court continue the
 initial case management conference presently set for hearing before Hon. Judge Maxine M.
 Chesney on January 15, 2010. In support of this Stipulation, Burnham Brown states as follows:
 1. Burnham Brown filed its Complaint on October 8, 2009.
 2. All defendants were properly served with the summons and Complaint on
 October 19, 2009.

1 3. As of the date of this stipulation is filed, no defendant has appeared in this matter.

2 4. As no defendant has appeared in this matter, Burnham Brown respectfully
3 submits that good cause exists to continue the hearing date on the Case Management Conference
4 to allow Burnham Brown to investigate all issues related to defendants failure to respond to the
5 summons and complaint. This continuance will also conserve judicial resources and promote the
6 interests of judicial economy.

7 5. There have been no previous time modifications in this case.

8 6. As no defendants have appeared at this time, the proposed time modification will
9 have a no impact on the schedule for this case.

10 **NOW, THEREFORE**, the Burnham Brown as the sole appearing party in this matter
11 hereby stipulates and agrees that, with the Court's approval:

12 1. The Case Management Conference is continued from January 15, 2010 to
13 February 26, 2010, at 10:30 a.m., before Hon. Judge Maxine M. Chesney,
14 and

15 2. All other deadlines related to the hearing are continued accordingly.

16 Respectfully submitted,

17 Dated: January 6, 2010

BURNHAM BROWN
By: /s/ Kevin Larson /s/
GREGORY D. BROWN
ROBERT M. BODZIN
KEVIN M. LARSON
Attorneys for Plaintiff BURNHAM BROWN,
A PROFESSIONAL LAW CORPORATION

21 ~~PROPOSED~~ ORDER
22 plaintiff's request
23 PURSUANT TO ~~STIPULATION~~, IT IS SO ORDERED.

24 Further, plaintiff is hereby DIRECTED to file, no later than February 5, 2010,
25 (1) a request for entry of default as to any defendant who by that date has not filed a response
26 to the complaint, or, in the alternative, (2) a statement indicating why plaintiff should not be
27 required to make such request.

28 Dated: January 7, 2010.


HON. JUDGE MAXINE M. CHESNEY