

Edward F. Mitchell (California State Bar # 135557)
 LAW OFFICES OF EDWARD F. MITCHELL
 1750 Montgomery Street
 San Francisco, California 94111
 (415) 265-4220 DIRECT
 (415) 954-8517 RECEPTION
 (415) 449-3562 FAX
EFMLawSF@juno.com E-MAIL

Attorneys for plaintiffs ALAN J. WATSON;
 CASH FLOW FINANCIAL, LLC, a Michigan limited
 liability company; GALVESTON MATRIX
 DIVERSIFIED TRUST, an Ohio business trust;
 and DAVID F. KLIMA, individually and in his
 capacity as Trustee of Galveston Matrix
 Diversified Trust

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

**ALAN J. WATSON; CASH FLOW
 FINANCIAL, LLC, a Michigan limited
 liability company; GALVESTON MATRIX
 DIVERSIFIED TRUST, an Ohio business
 trust; and DAVID F. KLIMA, individually
 and in his capacity as Trustee of Galveston
 Matrix Diversified Trust,**

Plaintiffs,

v.

**SOLDADO CORPORATION, a California
 corporation; GABRIEL GONZALES, JR.;
 JC FUNDING SOLUTIONS, INC. a Min-
 nesota corporation; JOSE ISRAEL
 CASTILLO ROBLES; BRIAN J. ENGEL;
 BJE, INC., a Minnesota corporation;
 and DOES 1 through 10, inclusive,**

Defendants.

**Case No. CV-10-1394-(EMC)
 STIPULATION AND [PROPOSED]
 ORDER RE JOINT APPLICATION
 FOR CONTINUANCE OF DEADLINE
 FOR FILING OF F. R. Civ. P. 26(f)
 REPORT AND CONTINUANCE
 OF INITIAL CASE
 MANAGEMENT
 CONFERENCE**

**DATE: AUGUST 25, 2010
 TIME: 1:30 PM
 ROOM: COURTROOM C
 15TH FLOOR**

STIPULATION AND ORDER RE JOINT APPLICATION FOR CONTINUANCE OF DEADLINE
 FOR FILING OF F. R. Civ. P. RULE 26(f) REPORT AND CONTINUANCE
 OF INITIAL CASE MANAGEMENT CONFERENCE

1 Counsel for plaintiffs ALAN J. WATSON; CASH FLOW FINANCIAL, LLC, a
2 Michigan limited liability company; GALVESTON MATRIX DIVERSIFIED TRUST, an
3 Ohio business trust; and DAVID F. KLIMA, individually and in his capacity as Trustee of
4 Galveston Matrix Diversified Trust, and counsel for defendants SOLDADO CORPORA-
5 TION, a California corporation (Soldado) and GABRIEL GONZALEZ, JR. (Gonzalez), he-
6 reby stipulate and agree, and jointly apply to the Court for an order approving their stipula-
7 tion, that the Initial Case Management Conference now scheduled for August 25, 2010 be
8 postponed for 45 days, and that the other deadlines set forth in the Court's July 13, 2010 or-
9 der continuing the Initial Case Management Conference be postponed in relation to the new
10 Initial Case Management Conference date to be set by the Court. As grounds for this stipula-
11 tion and joint application for a continuance, the parties (as indicated) state the following:
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- 14 1. The stipulating parties earlier applied once for a continuance of the initial
15 CMC, which request was granted July 13, 2010. No party otherwise has ap-
16 plied for any extension of time on any subject.
- 17 2. The stipulating parties have filed consent to the assignment of this action to
18 Magistrate Judge Edward M. Chen for all purposes, and wish to proceed be-
19 fore him. Defendants Brian J. Engel and BJE, Inc. (in the form of a letter to
20 the Court that is in the answer of an answer dated July 30, 2010), and defen-
21 dants JC Funding Solutions, Inc. and Jose Israel Castillo Robles (in the form
22 of a letter to the Court dated August 2, 2010 requesting additional time to re-
23 spond to the complaint) have not as of yet consented to the assignment of this
24 action to Judge Chen for all purposes. The stipulating parties seek additional
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1 time before the scheduled initial CMC so that these newly-appearing defen-
2 dants may have time to respond to inquiries/initiatives from the Court seeking
3 their consent to appear before Judge Chen so that this case need not be trans-
4 ferred to an already-confirmed Article III Judge.

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- 6 3. The parties have not yet been able to confer effectively regarding initial disclo-
7 sures, early settlement, and discovery plans, or to submit a meaningful F. R.
8 Civ. P. 26(f) Report because some defendants have not yet responded fully to
9 the complaint.
- 10 4. Because of the recent appearances of some defendants, it has not been possi-
11 ble to assess with any reasonable accuracy many of the issues that must be ad-
12 dressed in the parties' JOINT CASE MANAGEMENT STATEMENT, including: po-
13 tential motions; claims and defenses to be asserted by entering defendants;
14 discovery planning and identification of issues that may require adjudication;
15 and scheduling of pre-trial activities.
- 16 5. Defendants Soldado and Gonzalez have provided some informal discovery to
17 plaintiffs, and have indicated that more such informal discovery may be forth-
18 coming, but the parties (both those already appearing and, presumably, those
19 who have been served but not yet entered appearances) need additional time in
20 which to prepare initial disclosures and prepare a proper discovery plan.
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24 WHEREFORE plaintiffs and defendants Soldado Corporation and Gabriel Gonzalez,
25 Jr. request a postponement of the currently scheduled Initial Case Management Conference
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1 for approximately 45 days, and the postponement of related deadlines so as to properly relate
2 to the new date for the Initial Case Management Conference.

3 A proposed order in the form of an endorsement of this stipulation, in accordance
4 with USDC-NDCA Local Rule 7-12, is provided below.

5 DATED: August 13, 2010

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7 LAW OFFICES OF EDWARD F. MITCHELL

8
9 s/ Edward F. Mitchell

10
11 By _____
12 EDWARD F. MITCHELL
13 EFMLawSF@juno.com

14 Attorney for plaintiffs

15 DATED: August 13, 2010

16 BRIAN W. NEWCOMB, ATTORNEY AT LAW

17
18 s/ Brian W. Newcomb

19
20 By _____
21 BRIAN W. NEWCOMB
22 brianwnewcomb@gmail.com

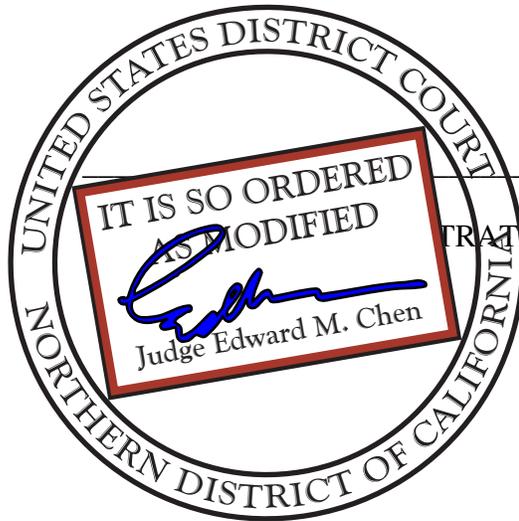
23 Attorney for defendants SOLDADO CORPORATION,
24 a California corporation; and GABRIEL
25 GONZALEZ, JR.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Initial Case Management Conference is reset for 10/27/10 at 1:30 p. m. A joint CMC statement shall be filed by 10/20/10 . Plaintiff shall serve a copy of this order upon all defendants who are not registered CM/ECF users in this Court. Plaintiffs are ordered to serve a copy of this order upon all defendants immediately.

Date: August 13 2010



TRATE JUDGE

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CERTIFICATE OF SERVICE

**[WHEN NOT ALL CASE PARTICIPANTS ARE REGISTERED FOR
THE USDC-NDCA CM/ECF SYSTEM]**

I hereby certify that I electronically filed the foregoing STIPULATION AND [PROPOSED] ORDER RE JOINT APPLICATION FOR CONTINUANCE OF DEADLINE FOR FILING OF F. R. CIV. P. 26(F) REPORT AND CONTINUANCE OF INITIAL CASE MANAGEMENT CONFERENCE with the Clerk of Court for the United States Court District Court for the Northern District of California using the USDC-NDCA CM/ECF system on August 13, 2010.

Participants in this action who are registered CM/ECF users will be served by the USDC-NDCA CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I certify that have mailed the foregoing document by United States Postal Service first class mail, postage pre-paid, or have dispatched it to a third-party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants at the addresses shown below:

Brian J. Engel, Esq.
c/o BJE, Inc.
4410 West Lake Harriet Parkway, Suite 200
Minneapolis, Minnesota 55410

BJE, Inc.
c/o Brian J. Engel, Esq.
4410 West Lake Harriet Parkway, Suite 200
Minneapolis, Minnesota 55410

Jose Israel Castillo Robles
c/o JC Funding Solutions, Inc.
Prado Verde 1347
Los Mochis Sinaloa
Mexico

JC Funding Solutions, Inc.
c/o Jose Israel Castillo Robles
Prado Verde 1347
Los Mochis Sinaloa
Mexico

1 DATE: August 13, 2010

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s/ Edward F. Mitchell

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STIPULATION AND ORDER RE JOINT APPLICATION FOR CONTINUANCE OF DEADLINE
FOR FILING OF F. R. Civ. P. RULE 26(f) REPORT AND CONTINUANCE
OF INITIAL CASE MANAGEMENT CONFERENCE