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DO NOT FILE

4 Attorneys for Plaintiff
MICHAEL PAULICK

5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA

7 MICHAEL PAULICK

CASE NO. C 10-01919 JCS
Civil Rights

8 Plaintiff,

9 V.

10 STARWOOD HOTELS &
RESORTS WORLDWIDE, INC.;
11 INTRAWEST NAPA
DEVELOPMENT COMPANY,
12 LLC;INTRAWEST NAPA
RIVERBEND HOSPITALITY
13 MANAGEMENT, LLC;
and DOES 1-25, Inclusive,

**STIPULATION, DECLARATION,
AND [~~PROPOSED~~] ORDER FOR
ENLARGEMENT OF TIME TO
CONDUCT GENERAL ORDER 56
“MEET AND CONFER”**

(Local Rule 6-2)

14 Defendants.
15 _____/

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27 Stipulation, Declaration and [Proposed]Order
28 For Enlargement Of Time To Conduct General
Order 56 “Meet And Confer”

STIPULATION

Plaintiff, by and through his attorney, and Defendants, by and through their attorneys, stipulate to an extension of time from September 6, 2010 to December 6, 2010 for the parties to conduct the “meet and confer” required by paragraph 4 of General Order 56.

_____The parties further stipulate that this Stipulation may be signed in counterparts and that facsimile or electronically transmitted signatures shall be as valid and binding as original signatures.

It is so stipulated.

Date: 9/3/10

Sidney J. Cohen
Professional Corporation

/S/ Sidney J. Cohen

Sidney J. Cohen
Attorney for Plaintiff Richard Skaff

Date: 9/3/2010

Liebersbach, Mohun, Carney & Reed

/s/ Gerald F. Mohun

Gerald F. Mohun
Attorneys for All Defendants

DECLARATION OF SIDNEY J. COHEN

I, Sidney J. Cohen, declare:

1. I am counsel for Plaintiff in this action. I am an attorney in good standing and licensed to practice in the courts of California, in the United States District Courts for the Northern, Eastern, and Central Districts, in the United States Court of Appeals for the Ninth Circuit, and in the United States Supreme Court. If called upon to testify, I would testify as follows:

2. Pursuant to the court’s Scheduling Order in the case and General

1 Order 56, the parties held their joint site inspection on August 6, 2010 and thus
2 were required by paragraph 4 of General 56 to hold their “meet and confer” by no
3 later than August 20, 2010.

4 3. By Order dated entered on August 23, 2010, the Court extended the
5 time to September 6, 2010 for the parties to hold their “meet and confer.”

6 4. Since the parties’ joint site inspection, and within the past week,
7 counsel for the parties have learned of the very recent purchase of the property
8 and hotel which is the subject of this action and the identity of the purchaser, VY
9 Verasa Commercial Company, LLC, which now also is the operator of the hotel.
10 I have also been advised by defendant’s counsel that VY Verasa Commercial
11 Company, LLC is responsible, as part of the purchase, to perform the injunctive
12 relief work, if any there be, legally required in this action.

13 5. The parties have entered into a “STIPULATION AND
14 [PROPOSED] ORDER TO PERMIT PLAINTIFF TO FILE A SECOND
15 AMENDED COMPLAINT” to add VY Verasa Commercial Company, LLC as a
16 defendant in the action.

17 6. Assuming that the Court signs the Order adding VY Verasa
18 Commercial Company, LLC as a party defendant, its attendance at, and
19 participation in, the General Order 56 “meet and confer” is essential in the
20 process of moving the litigation to a resolution.

21 7. An extension of the “meet and confer” date from September 6, 2010
22 to December 6, 2010 should provide sufficient time for VY Verasa Commercial
23 Company, LLC to Answer Plaintiff’s Second Amended Complaint, review
24 Plaintiff’s Consultant’s 131 page Report (with photos) and respond to each of
25 Plaintiff’s claim items at the “meet and confer” as required by paragraph
26 4 of General Order 56.

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Order 56 “Meet And Confer”

1 8. With the exception of extending the September 6, 2010 “meet and
2 confer” date, granting the requested extension will not effect any other
3 deadlines.

4 9. The extension of the “meet and confer” date from August 20, 2010 to
5 September 6, 2010 is the only previous modification in the case by
6 Stipulation or Court Order which has altered court ordered deadlines.

7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed this 3rd day of September, 2010 at Oakland, California.

9 /s/ Sidney J. Cohen

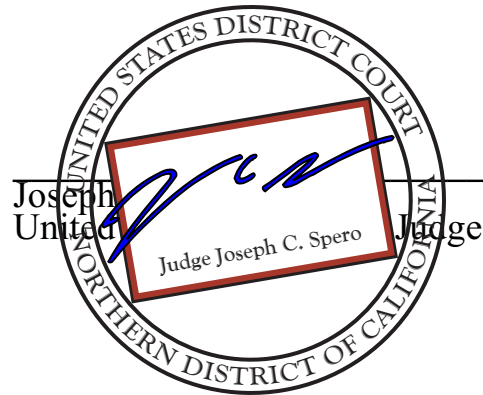
10 _____
11 Sidney J. Cohen

12 **ORDER**

13 Having considered the parties Stipulation and the supporting
14 Declaration, and for good cause shown, the court extends the date by which the
15 parties must conduct the General order 56 “meet and confer” from September 6,
16 2010 to December 6, 2010.

17 **IT IS SO ORDERED.**

18 **Date:** 09/07/10



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