

1 LAW OFFICES OF ANITA TAFF-RICE
 ANITA TAFF-RICE, SBN 186039
 2 1547 Palos Verdes #298
 Walnut Creek, CA 94597
 3 Telephone: (415) 699-7885
 Facsimile: (925) 274-0988
 4

5 Attorneys for Petitioner
 COMMPARTNERS, LLC
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7 **UNITED STATES DISTRICT COURT**
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 9 (San Francisco Division)

10 COMMPARTNERS, LLC,
 a Nevada Corporation

11 Petitioner,

12 v.

13 THE PUBLIC UTILITIES COMMISSION OF
 14 THE STATE OF CALIFORNIA AND
 PACIFIC BELL TELEPHONE COMPANY
 15 d/b/a AT&T CALIFORNIA

16 Respondents

CASE NO. 10-2164 CRB

**[PROPOSED] ORDER GRANTING JOINT
 STIPULATED MOTION REQUESTING
 AN EXTENSION OF TIME FOR CASE
 MANAGEMENT CONFERENCE AND
 ALL INTERMEDIATE DATES
 CURRENTLY SCHEDULED**

17
 18 Petitioner CommPartners, LLC ("CommPartners") and Respondent
 19 California Public Utilities Commission ("Commission") by and through their respective
 20 undersigned counsel, hereby move the Court to enter an Order extending the schedule for
 21 the Case Management Conference, currently scheduled for September 3, at 8:30 a.m., and
 22 all intermediate deadlines currently scheduled, including the date on which the
 23 Commission's response to the Petition must be filed, the last day on which the parties
 24 must meet and confer, and the date on which the joint case management statement must
 25 be filed. AT&T neither opposes nor supports the Motion.
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1 On June 13, 2010, Petitioner CommPartners filed a Voluntary Chapter 11
2 Bankruptcy Petition in the United States Bankruptcy Court, District of Nevada, Case No.
3 BK-S-10-20933 (jointly administered). The bankruptcy filing did not trigger the
4 automatic stay pursuant to 11 U.S.C. § 362. *See In re Merrick*, 175 B.R. 333, 337
5 (B.A.P. 9th Cir. 1994); *In re Mitchell*, 206 B.R. 204, 212 (Bankr. C.D. Cal. 1997).
6 Although the bankruptcy filing did not result in an automatic stay of the proceeding, it
7 did inject substantial uncertainty as to whether the Petitioner would elect to proceed with
8 this case, and whether the undersigned counsel for CommPartners would be retained
9 post-petition to continue representation of Petitioner CommPartners.

10 Petitioner CommPartners and Respondent Commission agree to this Motion
11 and propose the following schedule extension:

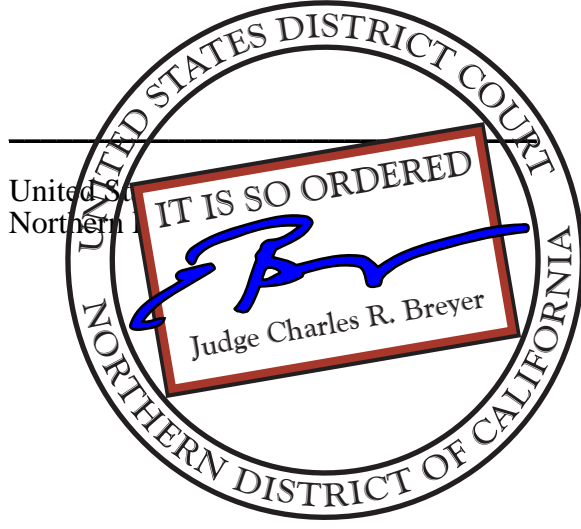
- 12 • Commission response to Petition extended from August 4 to
13 September 17, 2010;
- 14 • Last day for all-party meeting to meet and confer on initial
15 disclosures, early settlement, ADR process selection and discovery
16 plan pursuant to FRCivP 26(f) and ADR L.R. 3-5 extended from
17 August 10 to September 24, 2010;
- 18 • Last day to file ADR Certification signed by Parties and Counsel
19 pursuant to Civil L.R. 16-8(b) and ADR L.R. 3-5(b) extended from
20 August 10 to September 24, 2010;
- 21 • Last day to file either Stipulation to ADR Process or Notice of Need
22 for ADR Phone Conference pursuant to Civil L.R. 16-8(c) and ADR
23 L.R. 3-5(b) and (c) extended from August 10 to September 24, 2010;
- 24 • Last day to file Rule 26(f) report, complete initial disclosures or state
25 objection in Rule 26(f) report pursuant to FRCivP 26(a)(1) and Civil
26 L.R. 16-9 extended from August 24 to October 8, 2010;

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- File Case Management Statement (no date previously set) October 8, 2010;
- Case Management Conference extended from September 3 to October 15, 2010.

GOOD CAUSE BEING SHOWN, the order is GRANTED.

Dated: August 6, 2010



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on this the 4th day of August, 2010 on the following counsel of record, via electronic mail and U.S. Mail:

Attorney for Respondent California Public Utilities Commission

Ms. Helen Mickiewicz
California Public Utilities Commission
Legal Division
505 Van Ness Avenue
San Francisco, CA 94102

Mr. Chris Witteman
California Public Utilities Commission
Legal Division
505 Van Ness Avenue
San Francisco, CA 94102

Attorney for Respondent Pacific Bell Telephone Company d/b/a AT&T California

Mr. David Discher
Pacific Bell Telephone Company d/b/a AT&T California
525 Market Street, Room 2027
San Francisco, CA 94105