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7 Attorneys for the United States of America

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA	)	
	)	Case No. 10-cv-2310-WHA
12 Plaintiff,	)	
	)	
13 v.	)	STIPULATION TO CONTINUE CASE
	)	MANAGEMENT CONFERENCE
14 CAFFÈ AMICI ESPRESSO, LLC,	)	
	)	
15 Defendant.	)	
	)	
16	)	

17 The parties stipulate as follows:

18 1. This case was filed by plaintiffs to reduce specified tax assessments to judgment  
 19 and enjoin the defendant from failing to file employment tax returns, unemployment tax returns,  
 20 and pay employment taxes to the IRS.

21 2. The Court set a Case Management Conference for September 2, 2010, and, in an  
 22 Order dated August 9, 2010, the Court stated that a Case Management Conference may be  
 23 appropriate on August 26, 2010, in place of a noticed hearing.

24 3. On August 9, 2010, Plaintiff filed a response to a Court’s Order, which stated that  
 25 default should be set aside and requested that the two pending motions be withdrawn. Plaintiff  
 26 agreed that setting aside default made the motion for default judgment procedurally moot.

27 4. The parties respectfully request that the Initial Case Management Conference be  
 28

*Case No. 10-cv-2310-WHA*  
*Stipulation*

1 continued until September 16, 2010 for several reasons. First, plaintiff's counsel has been  
2 unavailable to meet and confer with defendant's counsel about how to proceed in this case since  
3 the Answer has been filed. The parties only briefly conferred regarding a continued date for the  
4 Case Management Conference. Second, the parties believe more time is needed, given the  
5 change in the status of the case, to make initial disclosures, and confer regarding a schedule. The  
6 parties also believe this additional two weeks may be beneficial in order to discuss a resolution  
7 of this matter, which cannot be accomplished under the present schedule.

8 5. For these reasons, the parties request a two-week continuance of the September 2,  
9 2010 Case Management Conference until September 16, 2010.

10 Dated August 11, 2010

JOSEPH P. RUSSONIELLO  
United States Attorney

11  
12 /s/ Thomas M. Newman  
THOMAS M. NEWMAN  
Assistant United States Attorney  
Tax Division

13  
14  
15 Dated August 11, 2010

/s/ James Cois  
Attorney for Defendant  
Caffe Amici Espresso

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA )  
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 Plaintiff, )  
 )  
 v. )  
 )  
 CAFFE AMICI ESPRESSO, LLC, )  
 )  
 Defendant. )

Case No. 10-cv-2310-WHA  
~~proposed~~ ORDER

In accordance with the parties' stipulation, IT IS SO ORDERED.

**THUS DONE AND SIGNED** on this 17th day of August, 2010 at San Francisco,  
California.

