

1 BRYAN W. DILLON (State Bar No. 203052)
 bwd@singler-law.com
 2 JASON D. MAYNARD (State Bar No. 253076)
 jdm@singler-law.com
 3 BRUCE J. NAPELL (State Bar No. 115116)
 bjn@singler-law.com
 4 SINGLER, NAPELL & DILLON, LLP
 127 S. Main Street
 5 Sebastopol, California 95472
 Telephone: (707) 823-8719
 6 Facsimile: (707) 823-8737
 7 Attorneys for Plaintiffs/Counterdefendants

8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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|---|---|
| 10 ROBERT L. CAZET, an individual et al, 11 Plaintiff, 12 vs. 13 TOPPA EPPS, an individual, et al, 14 Defendants. 15 | CASE NO: C 10-02460 JSW STIPULATION AND ORDER MODIFYING CASE MANAGEMENT SCHEDULE [CIV. STANDING ORDER No. 4] |
| 16 TOPPA EPPS, an individual et al, 17 Counterclaimants, 18 vs. 19 ROBERT L. CAZET, an individual, et al, 20 Counterdefendants. 21 | |

22 **STIPULATION**

23 WHEREAS Defendants/Counterclaimants have filed an Answer asserting twenty-four (24)
 24 affirmative defenses, and a counterclaim asserting eight (8) additional Counts in this action;

25 WHEREAS Plaintiffs/Counterdefendants have moved to dismiss six (6) of the eight (8)
 26 Counts asserted by Defendants/Counterclaimants, and moved to strike eight (8) of their twenty-
 27 four (24) affirmative defenses;

SINGLER, NAPELL & DILLON, LLP
 127 S. Main Street, Sebastopol, CA 95472
 (707) 823-8719 (707) 823-8737 Fax

1 WHEREAS the initial Case Management Conference is currently set for September 10,
2 2010, and the deadline for the parties to file their Joint Case Management and Proposed Discovery
3 Plan is September 3, 2010;

4 WHEREAS the parties do not anticipate a ruling on Plaintiffs' Motion to Dismiss /Strike
5 before such dates;

6 WHEREAS the parties' have met and conferred pursuant to Rule 26(f)(1) and agreed it
7 would be impractical to develop a proposed discovery plan or to provide initial disclosures while
8 the pleadings remain unsettled.

9 THE PARTIES HEREBY AGREE AND STIPUATE AS FOLLOWS:

10 1. That pursuant to Civil Standing Order No. 4, the Initial Case Management
11 Conference scheduled for September 10, 2010 should be vacated, and rescheduled to October 8,
12 2010 at 1:30 pm, or as soon thereafter as is convenient for the Court. All corresponding deadlines
13 should be reset accordingly;

14 2. The Rule 26 Initial Disclosure deadline is extended to October 1, 2010; and,

15 3. Should the pleadings remain unsettled following the Court's ruling on
16 Plaintiffs/Counterdefendants' Motion to Dismiss/Strike (e.g., leave to amend is granted, etc.), the
17 Court may, and is requested to, revisit this issue and reset the above dates accordingly.

SINGLER, NAPELL & DILLON, LLP
127 S. Main Street, Sebastopol, CA 95472
(707) 823-8719 (707) 823-8737 Fax

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19 **SINGLER, NAPELL & DILLON, LLP**

20 Dated: August 20, 2010

/S/BRYAN W. DILLON
By _____
Jason D. Maynard
Attorneys for Plaintiffs and Counterdefendants
Robert L. Cazet, Alumni Athletics USA, LLC, and
Alumni Athletics USA, Inc.

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22
23 **STAINBROOK & STAINBROOK, LLP**

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25 Dated: August 20, 2010

/S/CRAIG M. STAINBROOK
By _____
Craig M. Stainbrook
Attorneys for Defendants/Counterclaimants

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ORDER

For good cause showing, and on agreement of the parties, the Initial Case Management Conference in this matter scheduled for September 10, 2010 is hereby vacated, and rescheduled to October ~~8~~²⁹, 2010 at 1:30 pm. All corresponding deadlines are reset accordingly. The Parties' Rule 26 Initial Disclosure deadline is extended to October 1, 2010.

IT IS SO ORDERED.

Date: August 23, 2010



Hon. JEFFREY S. WHITE
United States District Judge

SINGLER, NAPELL & DILLON, LLP
127 S. Main Street, Sebastopol, CA 95472
(707) 823-8719 (707) 823-8737 Fax