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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEPHAN JENKINS, an individual; THIRD
EYE BLIND, INC., a California corporation;
3EB TOURING, INC., a California

Case No.: CV-11-0211 EMC

STIPULATION RE: FURTHER
and related Case No. C11-3232 SI
(Fredianelli v. Stephan Jenkins, et

1 corporation; and STEPHAN JENKINS
2 PRODUCTIONS, INC., a California
3 corporation,

4 Plaintiffs,

5 vs.

6 THOMAS IRVING MANDELBAUM, an
7 individual; SELVERNE, MANDELBAUM &
8 MINTZ, LLP, a New York limited liability
9 partnership; HISCOCK & BARCLAY, LLP, a
10 New York limited liability partnership; and
11 DOES 1 through 500, inclusive,

12 Defendants.

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HISCOCK & BARCLAY, LLP, a New York
limited liability partnership,

Counter-Claimant,

vs.

STEPHAN JENKINS, an individual; THIRD
EYE BLIND, INC., a California corporation;
3EB TOURING, INC., a California
corporation; and STEPHAN JENKINS
PRODUCTIONS, INC., a California
corporation,

Counter-Defendants.

**EXTENSION OF CASE MANAGEMENT
CONFERENCE;**

[PROPOSED] ORDER

(E-filing)

Hon. Edward M. Chen, Presiding

This Stipulation is entered into by and between all of the parties to the above action through their undersigned attorneys:

WHEREAS, the court at the last Case Management Conference ordered the case to mediation with a private mediator and ordered that the case be mediated before July 31, 2011; and

WHEREAS, the parties sought and obtained the agreement of the parties in a related case, *Fredianelli v. Jenkins*, Action No. 11-CV-01562-R-JC (originally filed in the Central District; transferred to the Northern District) to mediate the case with the above-referenced matter; and

1 WHEREAS, the parties agreed to mediate both cases before the Hon. Judge Scott
2 Snowden (Ret.) of JAMS; and

3 WHEREAS, the case was mediated over a two-day period, July 12 and 13, 2011; and

4 WHEREAS, the parties are still working on settlement and jointly believe that additional
5 time is needed to complete the mediation process and explore settlement;

6 NOW THEREFORE, the parties jointly request that the Court continue the Case
7 Management Conference now set for August 12, 2011, for at least 90 days until a date in
8 November of 2011, continue the effectiveness of its Case Management and Pretrial Order of
9 April 22, 2011, including, but not limited to the provision that no motion(s) for summary
10 judgment shall be filed prior to completion of mediation, and continue the mediation completion
11 date for 90 days or until October 31, 2011.

12
13 MURPHY, PEARSON, BRADLEY & FEENEY

14 Dated: July 25, 2011

15 By: /s/
16 James Murphy
17 *Attorneys for Defendant and Cross-Claimant*
18 *HISCOCK & BARCLAY, LLP*

19 MOUND COTTON WOLLAN & GREENGRASS

20 Dated: July 25, 2011

21 By: /s/
22 Kenneth M. Labbate
23 Sanjit Shah
24 *Attorneys for Defendants Thomas I. Mandelbaum;*
25 *and Selverne, Mandelbaum & Mintz, LLP*

26 IDELL & SEITEL LLP

27 Dated: July 25, 2011

28 By: /s/
Richard Idell
Ory Sandel
Attorneys for Plaintiffs and Counter-Defendants
STEPHAN JENKINS, THIRD EYE BLIND, INC.,
3EB TOURING, INC. and STEPHAN JENKINS
PRODUCTIONS, INC.

1 **ATTESTATION OF CONCURRENCE**

2 I, Richard J. Idell, as the ECF user and filer of this document, attest that, pursuant to
3 General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from
4 Sanjit Shah and James Murphy, the above signatories.

5 IDELL & SEITEL LLP

6 Dated: July 25, 2011

By: /s/

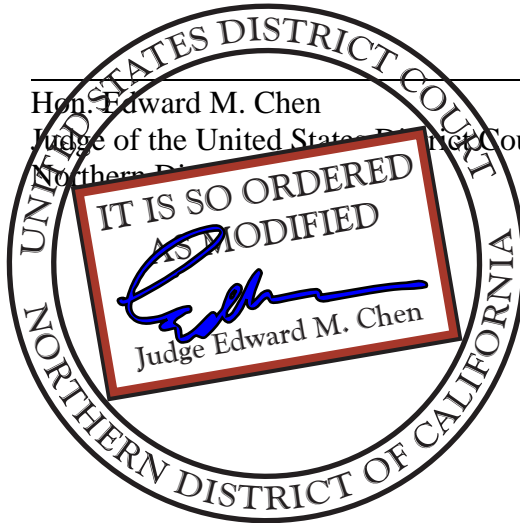
7 Richard Idell
8 Ory Sandel
9 *Attorneys for Plaintiffs and Counter-Defendants*
10 *STEPHAN JENKINS, THIRD EYE BLIND, INC.,*
11 *3EB TOURING, INC. and STEPHAN JENKINS*
12 *PRODUCTIONS, INC.*

13 **[PROPOSED] ORDER**

14 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. The Status
15 Conference for both related cases is set for 11/7/11 at 10:30 a.m. An updated Status Report shall
16 be filed by 10/31/11.

17 Dated: 8/3/11

18 Hon. Edward M. Chen
19 Judge of the United States District Court
20 Northern District of California



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PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel LLP, 465 California Street, Suite 300, San Francisco, California 94104.

On July 25, 2011, I served the following document(s):

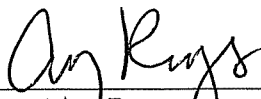
STIPULATION RE: FURTHER EXTENSION OF CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER

by **ELECTRONIC MAIL**. As this case is subject to the United States District Court for the Northern District of California ECF program, pursuant to General Rule 45, upon the filing of the above-entitled document(s) an automatically generated e-mail message was generated by the Court's electronic filing system and sent to the address(es) shown below and constitutes service on the receiving party.

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and Selverne, Mandelbaum & Mintz, LLP*

I certify and declare under penalty of perjury that the foregoing is true and correct, that I am employed in the office of an attorney qualified to practice in this court, and that I executed this declaration at San Francisco, California.



Amy Reyes