

1 RICHARD J. IDELL, ESQ. (SBN 069033)  
2 ORY SANDEL, ESQ. (SBN 233204)  
3 IDELL & SEITEL LLP  
4 465 California Street, Suite 300  
5 San Francisco, CA 94104  
6 Telephone: (415) 986-2400  
7 Facsimile: (415) 392-9259

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

12 JAMES A. MURPHY, ESQ. (SBN 062223)  
13 MURPHY, PEARSON, BRADLEY & FEENEY  
14 88 Kearny Street, 10th Floor  
15 San Francisco, CA 94108-5530  
16 Telephone: (415) 788-1900  
17 Facsimile: (415) 393-8087

18 *Attorneys for Defendant and Cross-Claimant*  
19 *HISCOCK & BARCLAY, LLP*

20 KENNETH M. LABBATE, ESQ. (admitted *pro hac vice*)  
21 SANJIT SHAH, ESQ. (admitted *pro hac vice*)  
22 DAVID A. NELSON, ESQ. (admitted *pro hac vice*)  
23 MOUND, COTTON, WOLLAN & GREENGRASS

24 JOSEPH M. RIMAC, ESQ. (SBN 072381)  
25 WILLIAM REILLY, ESQ. (SBN 177550)  
26 RIMAC & MARTIN, P.C.  
27 1051 Divisadero Street  
28 San Francisco, California 94115  
Telephone: (415) 561-8440  
Facsimile: (415) 561-8430

*Attorneys for Defendants Thomas I. Mandelbaum*  
*and Selverne, Mandelbaum & Mintz, LLP*

**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**

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 Case Management Conference held on April 20, 2011, 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) (“Fredianelli Case”), to mediate the case together with the above-referenced matter; and

1           WHEREAS, the Fredianelli Case has also now been assigned to the Hon. Judge Edward  
2 Chen; and

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

5           WHEREAS, the two cases were mediated over a two-day period, July 12 and 13, 2011;  
6 and

7           WHEREAS, since the parties were still working on settlement, after the July mediation,  
8 and jointly believed that additional time was needed to complete the mediation process and  
9 negotiate a global resolution of this action and the Fredianelli Case, the parties jointly requested  
10 that the Court continue the August 12, 2011 Case Management Conference for 90 days; and

11           WHEREAS, the Court did continue the Case Management Conference set for August 12,  
12 2011, to November 7, 2011, and continued the effectiveness of its Case Management and Pretrial  
13 Order of April 22, 2011, including, but not limited to the provision that no motion(s) for  
14 summary judgment shall be filed prior to completion of mediation, and continue the mediation  
15 completion date for 90 days or until October 31, 2011, by the Court's Order of August 3, 2011;  
16 and

17           WHEREAS, the Case Management Conference in the Fredianelli Case is also set for  
18 November 7, 2011; and

19           WHEREAS, although the parties' efforts to achieve a global resolution by October 31,  
20 2011 were hindered by the decisions of certain parties in the Fredianelli Case, i.e., Plaintiff  
21 Anthony Fredianelli and Defendants David Rawson and Zeisler, Zeisler, Rawson & Johnson,  
22 LLP, to discharge the attorneys who had represented them during the July 2011 mediation  
23 sessions and retain new counsel, the parties are still working on settlement and have scheduled  
24 an additional mediation session in the Fredianelli Case for November 16, 2011; and

25           WHEREAS, if the parties are successful in settling this Fredianelli Case on November  
26 16, 2011, an additional mediation session will be set in the Jenkins v. Mandelbaum case in  
27 December, 2011; and  
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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: October 25, 2011

By: /s/ \_\_\_\_\_

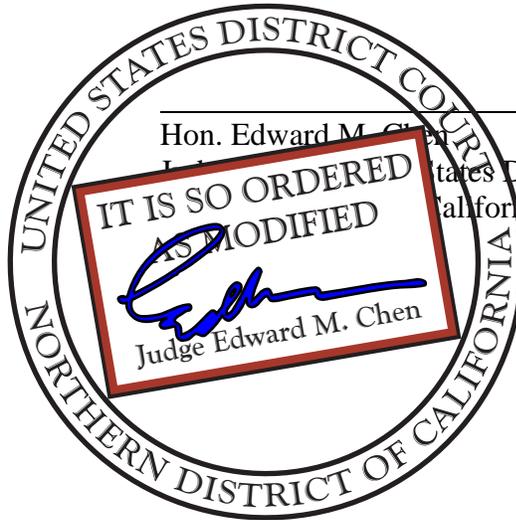
7 Richard Idell  
8 Ory Sandel  
9 *Attorneys for Plaintiffs and Counter-Defendants*  
10 *STEPHAN JENKINS, THIRD EYE BLIND, INC.,*  
11 *3EB TOURING, INC. and STEPHAN JENKINS*  
12 *PRODUCTIONS, INC.*

13 **[PROPOSED] ORDER**

14 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED. Status Conference

15 is reset from  
16 11/7/11 to 3/9/12 at  
17 10:30 a.m.

18 Dated: 10/31/11



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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 October 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.

JOSEPH RIMAC  
WILLIAM REILLY  
**RIMAC MARTIN, P.C.**  
1051 Divisadero Street  
San Francisco, California 94115  
Telephone (415) 561-8440  
Facsimile (415) 561-8430  
Email: [Jrimac@rimacmartin.com](mailto:Jrimac@rimacmartin.com)  
[W\\_reilly@rimacmartin.com](mailto:W_reilly@rimacmartin.com)

KENNETH M. LABBATE, ESQ.  
SANJIT SHAH, ESQ.  
**MOUND COTTON WOLLAN & GREENGRASS**  
One Battery Park Plaza  
New York, NY 10004-1486  
Telephone (212) 804-4200  
Facsimile (212) 344-8066  
Email: [sshah@moundcotton.com](mailto:sshah@moundcotton.com),  
[klabbate@moundcotton.com](mailto:klabbate@moundcotton.com)  
*Attorneys for Defendants Thomas I. Mandelbaum;  
and Selverne, Mandelbaum & Mintz, LLP*

JAMES A. MURPHY  
JOHN PAUL GIRARDE  
**MURPHY, PEARSON, BRADLEY & FEENEY**  
88 Kearney Street, 10<sup>th</sup> Floor  
San Francisco, California 94108-5530  
Telephone (415) 788-1900  
Facsimile (415) 393-8087  
Email: [jmurphy@mpbf.com](mailto:jmurphy@mpbf.com),  
[jgirarde@mpbf.com](mailto:jgirarde@mpbf.com)  
*Attorneys for Defendant Hiscock & Barclay,  
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