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9 **Attorneys for Plaintiff**
10 **Joe Hand Promotions, Inc.**

11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

14 **JOE HAND PROMOTIONS, INC.,**

15 **Plaintiff,**

16 **v.**

17 **KENNETH TEDFORD LOONEY, et al.,**

18 **Defendants.**

19 **Case No. 3:11-cv-02224-EMC**

20 **PLAINTIFF'S AMENDED *EX PARTE***
21 **APPLICATION TO EXTEND THE**
22 **SETTLEMENT CONFERENCE**
23 **DEADLINE; AND ORDER (~~Proposed~~)**

24 **TO THE HONORABLE EDWARD M. CHEN, THE HONORABLE DONNA M. RYU,**
25 **THE PARTIES, AND THEIR ATTORNEY/S OF RECORD:**

26 Plaintiff Joe Hand Promotions, Inc., hereby applies *ex parte* to extend the settlement
27 conference deadline from January 6, 2012 to March 6, 2012.

28 1. This request is necessitated by the fact that Plaintiff's Authorized Representative Mr.
Joseph P. Hand, Jr. has a scheduling conflict that same day and Plaintiff's counsel of record is also
unavailable. These conflicts are more particularly set forth below.

2. First, is the fact that Plaintiff's Authorized Representative, Mr. Joseph P. Hand, Jr.,
President of Joe Hand Promotions, Inc. is unavailable to participate personally at the Settlement
Conference presently scheduled for 11:00 AM on Tuesday, January 3, 2012. Please see Plaintiff's

1 Exhibit 1 attached hereto and made part hereof.

2 3. Second, Plaintiff's counsel of record, Thomas P. Riley, will be out of town with his
3 family on a pre-paid trip back East to visit family for the holidays. (Please see Plaintiff's Exhibit 2
4 attached hereto and made part hereof).

5 4. Third, Plaintiff's counsel is also scheduled to appear before Honorable Bernard
6 Zimmerman, Magistrate Judge for the U.S.D.C. for the Northern District of California, San Francisco
7 Division in the matter of *J & J Sports Productions, Inc. v. Sandra Guadalupe Lemus, et al*; Case No.
8 3:10-cv-04170-CRB at 11:00 AM that very same day for an initial settlement conference. For the
9 reasons set forth above, Plaintiff's counsel has made similar arrangements in that particular action as
10 well¹.

11 5. Finally, as of this writing Defendant Htwoo, LLC has yet to retain legal counsel as was
12 specifically ordered by the Honorable Edward M. Chen². In that it is not permissible for an individual
13 defendant to represent the corporate co-defendant Plaintiff respectfully submits that any settlement
14 conference be conducted after the corporate defendant has retained legal counsel as ordered.

15 **WHEREFORE**, Plaintiff respectfully requests that this Honorable Court extend the deadline
16 to conduct the Settlement Conference from January 6, 2012 to March 6, 2012.

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20 Respectfully submitted,

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23 Dated: December 21, 2011

/s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY

By: Thomas P. Riley

Attorneys for Plaintiff

Joe Hand Promotions, Inc.

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27 ¹ The Parties to that particular action have signed a Stipulation to Continue the Settlement Conference and same has been
filed with the Court. Please see ECF #48 in that action.

28 ² On December 2, 2011 the Court conducted hearings on Plaintiff's Motion to Strike Defendants' Answer and
Affirmative Defenses and Defendants' Motion to Dismiss. Plaintiff's Motion to Strike was granted and Defendants'
Motion to Dismiss was denied. At the same hearing, corporate defendant Htwoo, LLC was afforded 60 days to retain
counsel. Please see ECF #26.

Exhibit 1

JOE HAND PROMOTIONS INC.

Celebrating Over 35 Years of Sports Promotion Excellence

December 15, 2011

Mr. Thomas P. Riley, Esquire
LAW OFFICES OF THOMAS P. RILEY, P.C.
First Library Square
1114 Fremont Avenue
South Pasadena, CA 91030

RE: Joe Hand Promotions, Inc. v. Looney, et al.; USDC NDCA Case No. CV11-2224
re: Looney' Smokehouse (UFC 113 5/8/10)

Dear Tom:

I am writing regarding the above-referenced Settlement Conference presently scheduled for Tuesday, January 3, 2012. I will be on a cruise from January 1 through January 8, 2012.

May I ask that the Settlement Conference be rescheduled or vacated.

Thank you very much.

Sincerely,



Joseph P. Hand, Jr.
President

/sk

407 East Pennsylvania Boulevard, Feasterville, PA 19053

(215) 364-9000 Fax (215) 364-5474

www.joehandpromotions.com

Elected to the Pennsylvania Sports Hall of Fame 1992

Exhibit 2

Flight: Los Angeles to Philadelphia

E-Ticket purchase has been confirmed by the airline. No tickets will be mailed. **Airline check-in locations** require government issued photo ID and may request proof of current date travel (such as a printed copy of this itinerary or a printed receipt) to issue a boarding pass. **Airport security checkpoints** may require you to display both your boarding pass and photo ID before proceeding to the gate, so we recommend that you obtain your boarding pass before proceeding to the security checkpoint.

Expedia itinerary number: **139796082133**
Airline ticket number(s): 0378715961448-452
US Airways confirmation code: FWP512

Main contact: Thomas P. Riley
E-mail: tprlaw@mac.com
Cell phone: 1 2139235150
Alternate phone: 1 6267997577

Traveler and cost summary

Thomas Riley	Adult	UNITED #00126262884 Update Frequent Flyer number(s)
Evangelia Riley	Adult	UNITED #00126262884 Update Frequent Flyer number(s)
Thomas Riley, III	Adult	Requested: Child Meal UNITED #03090638954 Update Frequent Flyer number(s)
Alexxandra Riley	Adult	Requested: Child Meal UNITED #03120756060 Update Frequent Flyer number(s)
Nicolle Riley	Adult	Requested: Child Meal UNITED #00126262884 Update Frequent Flyer number(s)

Taxes & Fees

[Print a receipt](#) Total (American Express)

Flight summary

Seat assignments, meal preferences, and special requests must be confirmed with the airline; we cannot guarantee that they will be honored. Free and special meals are not available on many flights.

Tue 27-Dec-11

Los Angeles (LAX) to **Philadelphia (PHL)** 2,397 mi **US Airways**
Depart 11:15 am Arrive 7:24 pm (3,858 km) **Flight: 796**
Terminal 1 Terminal B Duration: 5hr 9mn

Economy/Coach Class (26A, 26B, 26E, 26C, 26D). Food For Purchase, Airbus A321, 60% on time

Total distance: 2,397 mi (3,858 km)

Total duration: 5hr 9mn

Tue 3-Jan-12

Philadelphia (PHL) to **Los Angeles (LAX)** 2,397 mi **US Airways**
Depart 5:55 pm Arrive 9:00 pm (3,858 km) **Flight: 701**
Terminal B Terminal 1 Duration: 6hr 5mn

Economy/Coach Class (31B, 31C, 31F, 31D, 31E). Food For Purchase, Airbus A321, 50% on time

Total distance: 2,397 mi (3,858 km)

Total duration: 6hr 5mn

Airline rules & regulations

Tickets are nonrefundable. A fee of \$150.00 per ticket will be charged for itinerary changes after

the tickets are issued, provided that the booking rules were followed.
Tickets are nontransferable and name changes are not allowed.
Please read important information regarding airline liability limitations.
Prices do not include Prices do not include baggage fees or other fees charged directly by the
airline.

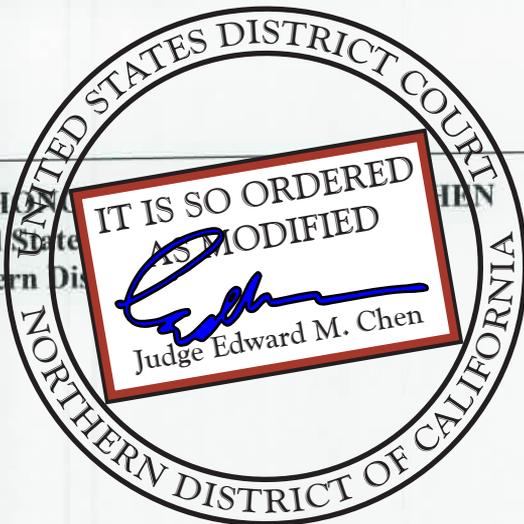
- Other penalties may apply.
- See an overview of all the rules and restrictions applicable for this fare.
- View the complete penalty rules for changes and cancellations associated with this fare.

ORDER (Proposed)

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3 **IT IS HEREBY ORDERED** that the Settlement Conference deadline in civil action 3:11-cv-
4 02224-EMC styled *Joe Hand Promotions, Inc. v. Kenneth Tedford Looney, et al.* is hereby continued
5 from January 6, 2012 to March 6, 2012.

The case management conference is reset from
February 17, 2012 to March 23, 2012 at 10:30
a.m. An updated joint CMC statement shall be
filed by March 16, 2012.

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9 **IT IS SO ORDERED:**



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11 Dated: _____

12 THE HONORABLE
13 United States District Judge
14 Northern District of California

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