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9 Attorneys for Defendants and Counterclaimants  
 10 STEPHAN JENKINS, an Individual;  
 11 BRADLEY HARGRAEAVES, an Individual;  
 12 STEPHAN JENKINS PUBLISHING, INC.;  
 13 3EB TOURING, INC.; AND  
 14 THIRD EYE BLIND, INC.

11 UNITED STATES DISTRICT COURT,  
 12 NORTHERN DISTRICT OF CALIFORNIA

14 ANTHONY FREDIANELLI,  
 15 Plaintiff,  
 16 v.  
 17 STEPHAN JENKINS, et al.,  
 18 Defendants.

Case No.: C 11-03232 EMC  
**STIPULATION AND  
 [PROPOSED] ORDER  
 REGARDING FILING DATE ON  
 MOTIONS IN LIMINE** (Modified)  
**The Honorable Edward M. Chen**

19 STEPHAN JENKINS, an Individual;  
 20 3EB TOURING, INC., a California  
 21 Corporation;  
 22 THIRD EYE BLIND, INC., a California  
 23 Corporation; and  
 24 STEPHAN JENKINS PRODUCTIONS,  
 25 INC., a California Corporation,  
 26 Defendant/Counterclaimants,  
 27 v.  
 28 ANTHONY FREDIANELLI, an  
 Individual,  
 Plaintiff/Counterdefendant.

ABBIE, WEITZENBERG, WARREN & EMERY, P.C.  
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1 This Court's February 2, 2013 First Amended Case Management and Pretrial Order for a  
2 Jury Trial ("Court Order") provides that Motions in Limine are to be served at least 32 days  
3 before the September 24, 2013 Final Pretrial Conference, or by August 23, and that oppositions to  
4 said Motions are to be served at least 25 days before said conference, or by August 30. The Court  
5 Order further provides that any Motions in Limine (both moving and opposition papers) are to be  
6 filed with the Court at least 21 days prior to the Final Pretrial Conference, or by September 3,  
7 2013. Thus, in accordance with the Court Order, the Motions in Limine must be served no later  
8 than August 23, 2013 and filed no later than September 3, 2013.

9 Counsel for plaintiff and defendant have met and conferred with regard to multiple  
10 Pretrial Conference issues. Counsel have agreed to exchange proposed trial exhibits by August  
11 26, 2013, which date is after the August 23, 2013 date to file Motions in Limine. The parties  
12 need until August 26 to exchange documents as there is a considerable volume of financial  
13 records to review in this case and analyze for purposes of determining what documents should be  
14 advanced as trial exhibits. The decision as to whether or not any Motions in Limine are going to  
15 be filed by the parties is dependent in large part upon the documents the parties intend to  
16 introduce. In light of the time frame in which the parties have agreed to exchange documents, the  
17 parties request that the Court modify its Court Order to provide that Motions in Limine (both  
18 moving papers and opposition papers) can be filed no later than September 10, 2013.

19 **IT IS SO STIPULATED.**

20 Dated: August 12, 2013. ABBEY, WEITZENBERG, WARREN & EMERY

21  
22 By: /s/ Mitchell B. Greenberg  
23 Mitchell B. Greenberg,  
24 Attorneys for Defendants  
25 STEPHAN JENKINS, an Individual;  
26 BRADLEY HARGRAEVES, an  
27 Individual; STEPHAN JENKINS  
28 PUBLISHING, INC.; 3EB TOURING, INC.;  
AND THIRD EYE BLIND, INC.

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1 Dated: August 12, 2013.

JOSEPH W. SINGLETON, ESQ.

2 By: /s/ Joseph W. Singleton

3 Joseph W. Singleton,  
4 Attorneys for Plaintiff  
ANTHONY FREDIANELLI

5  
6  
7 **ATTESTATION OF CONCURRENCE**

8 I, Mitchell Greenberg, as the ECF user and filer of this document, attest that,  
9 pursuant to General Order No. 45(X)(B), concurrence in the filing of this document  
10 has been obtained from the above signatories.

11 Dated: August 12, 2013

ABBEY, WEITZENBERG, WARREN & EMERY

12 By: /s/ Mitchell B. Greenberg

13 Mitchell B. Greenberg,  
14 Attorneys for Defendants  
STEPHAN JENKINS, an Individual;  
15 BRADLEY HARGRAEAVES, an  
Individual; STEPHAN JENKINS  
16 PUBLISHING, INC.; 3EB  
TOURING, INC.; AND  
17 THIRD EYE BLIND, INC.

18  
19  
20 In accordance with the Stipulation above, **IT IS HEREBY ORDERED**  
21 **THAT** Motions in Limine in this case (both moving papers and oppositions  
22 together) may be filed with the Court no later that September 10, 2013.  
9, 2013 by 9:00 a.m.

23 Dated: 8/13, 2013.

24 U.S. DISTRICT COURT JUDGE



