

1 LEO D. PLOTKIN (SBN 101893)
 2 LEVY, SMALL & LALLAS
 3 A Partnership Including Professional Corporations
 4 815 Moraga Drive
 5 Los Angeles, California 90049
 6 Telephone: (310) 471-3000
 7 Facsimile: (310) 471-7990
 8 Email: lplotkin@lsl-la.com
 9 Attorneys for Plaintiff
 10 PNC Equipment Finance, LLC

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

14 PNC EQUIPMENT FINANCE, LLC, a)
 15 Delaware limited liability company, as)
 16 successor to NATIONAL CITY)
 17 COMMERCIAL CAPITAL CORPORATION,)

Case No. CV 11-03768 JSC

18 Plaintiff,

STIPULATION TO CONTINUE INITIAL
 CASE MANAGEMENT CONFERENCE
 AND HEARING DATE ON MOTIONS;
 [PROPOSED] ORDER THEREON

19 vs.

Current Date: November 17, 2011
 Current Time: 1:30 p.m.
 Courtroom: F

20 CALIFORNIA FAIRS FINANCING)
 21 AUTHORITY, a California joint powers)
 22 authority; 49TH DISTRICT AGRICULTURAL)
 23 ASSOCIATION, a state institution of the State)
 24 of California; COUNTY OF MARIN, a)
 25 political subdivision of the State of California;)
 26 SONOMA COUNTY FAIR AND)
 27 EXPOSITION, INC., a California corporation;)
 28 and NAPA COUNTY FAIR ASSOCIATION, a)
 California corporation,)

[Proposed] Date: December 8, 2011
 [Proposed] Time: 1:30 p.m.
 Courtroom: F

Defendants.

1 This Stipulation is made by and between plaintiff PNC Equipment Finance, LLC
2 ("PNCEF") by and through its attorney of record Leo D. Plotkin of Levy, Small & Lallas, A
3 Partnership of Professional Corporation, and defendants California Fairs Financing Authority
4 ("CFFA") and the 49th District Agricultural Association ("DAA"), by and through their attorney
5 of record, Hal Reiland of Reiland/Law, County of Marin ("Marin County"), by and through its
6 attorney of record Edward James Kiernan, Sonoma County Fair and Exposition, Inc. ("Sonoma
7 County"), by and through its attorney of record Holly Elizabeth Rickett, and Napa County Fair
8 Association ("Napa County"), by and through its attorney of record Donald Douglas Shureen of
9 McMillan & Shureen LLP, with respect to the following facts:

10 1. The Initial Case Management Conference in the above-captioned matter currently
11 is set for November 17, 2011, at 1:30 p.m.

12 2. Also set for hearing on November 17, 2011 at 1:30 p.m. are two motions filed by
13 PNCEF to strike certain affirmative defenses asserted by, respectively, defendants Marin County
14 and Sonoma County.

15 3. Defendants CFAA and DAA have filed a motion to dismiss the Complaint of
16 PNCEF, currently set for hearing on December 8, 2011 at 9:00 a.m.

17 4. PNCEF anticipates filing a motion for a preliminary injunction against CFFA, and
18 anticipates that it will set that motion for hearing on December 8, 2011 at 9:00 a.m.

19 5. The parties all agree that resolution of CFFA's motion to dismiss and PNCEF's
20 preliminary injunction motion should, in the interest of judicial economy, be decided at the same
21 time, or prior to, the Initial Case Management Conference.

22 NOW, THEREFORE, it is stipulated as follows:

23 1. The hearing on PNCEF's motions to strike affirmative defenses and on CFFA's
24 motion to dismiss shall be continued to December 8, 2011 at 1:30 p.m.

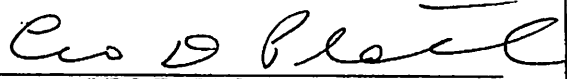
25 2. The Initial Case Management Conference shall be continued to December 8, 2011
26 at 1:30 p.m.

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1 3. PNCEF's motion for preliminary injunction, which shall be timely filed, may be
2 set for hearing on December 8, 2011, at 1:30 p.m.

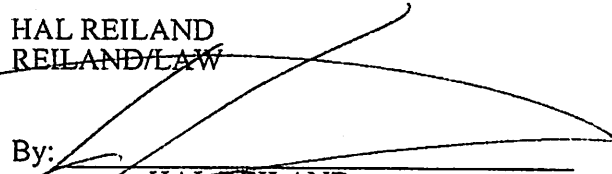
3 DATED: October 31, 2011

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
Corporations

4
5
6 By: 
LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

7
8
9 DATED: October 31, 2011

HAL REILAND
~~REILAND/LAW~~

10
11 By: 
HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49thth District Agricultural Association

12
13
14 DATED: October __, 2011

EDWARD JAMES KIERNAN

15
16 By: _____
EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

17
18
19 DATED: October __, 2011

HOLLY ELIZABETH RICKETT

20
21 By: _____
HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

22
23
24 DATED: October __, 2011

DONALD DOUGLAS SHUREEN

25
26 By: _____
DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

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3. PNCEF's motion for preliminary injunction, which shall be timely filed, may be set for hearing on December 8, 2011, at 1:30 p.m.

DATED: October __, 2011

LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
Corporations

By: _____
LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

DATED: October __, 2011

HAL REILAND
REILAND/LAW

By: _____
HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49thth District Agricultural Association

DATED: October 27, 2011

EDWARD JAMES KIERNAN

By: Edward J. Kiernan
EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

DATED: October __, 2011

HOLLY ELIZABETH RICKETT

By: _____
HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

DATED: October __, 2011

DONALD DOUGLAS SHUREEN

By: _____
DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

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LEO D. PLOTKIN
LEVY, SMALL & LALLAS
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Corporations

By: _____
LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

DATED: October __, 2011

HAL REILAND
REILAND/LAW

By: _____
HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49th District Agricultural Association


DATED: October __, 2011

EDWARD JAMES KIERNAN

By: _____
EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

DATED: October 31, 2011

HOLLY ELIZABETH RICKETT

By: 
HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

DATED: October __, 2011

DONALD DOUGLAS SHUREEN

By: _____
DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

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LEO D. PLOTKIN
LEVY, SMALL & LALLAS
A Partnership Including Professional
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By: _____
LEO D. PLOTKIN
Attorneys for Plaintiff
PNC Equipment Finance, LLC

DATED: October __, 2011

HAL REILAND
REILAND/LAW

By: _____
HAL REILAND
Attorneys for Defendants
California Fairs Financing Authority, and
49thth District Agricultural Association

DATED: October __, 2011

EDWARD JAMES KIERNAN

By: _____
EDWARD JAMES KIERNAN
Attorneys for Defendant
County of Marin

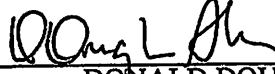
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HOLLY ELIZABETH RICKETT

By: _____
HOLLY ELIZABETH RICKETT
Attorneys for Defendant
Sonoma County Fair and Exposition, Inc.

DATED: October ³¹ __, 2011

DONALD DOUGLAS SHUREEN

By:  _____
DONALD DOUGLAS SHUREEN
Attorneys for Defendant
Napa County Fair Association

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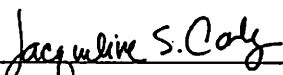
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~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING, AND THE PARTIES HAVING SO STIPULATED, IT IS
HEREBY ORDERED:

1. The hearing on PNCEF's motions to strike affirmative defenses is hereby continued to December 8, 2011 at 1:30 p.m.
2. The hearing on CFFA's and DAA's motion to dismiss is hereby continued to December 8, 2011 at 1:30 p.m.
3. The Initial Case Management Conference is hereby continued to December 8, 2011 at 1:30 p.m.
4. PNCEF's motion for preliminary injunction, which shall be timely filed, may be set for hearing on December 8, 2011, at 1:30 p.m.

DATED: November 1, 2011



The Honorable Jacqueline S. Corley
United States Magistrate Judge

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