

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISA SIMONE KELLY,

Plaintiff,

v.

WALLY ROKER, et al.,

Defendants.

No. C 11-05822 JSW

**ORDER DIRECTING PARTIES
TO MEET AND CONFER**

On December 2, 2011, Plaintiff filed the complaint in this action, in which she asserts four claims for relief: (1) Declaratory Judgment; (2) Fraudulent Transfer; (3) Misappropriation and Conversion; and (4) Accounting. Each of Plaintiff's claims are based on a Music and Artifact Agreement ("MAA") dated October 1, 2011, entered into between defendants Andrew B. Stroud and Andy Stroud, Inc., and Wally Roker and ICU Ent Dist. Plaintiff asks that the Court declare the MAA rescinded and seeks other relief precluding defendants from transferring "Nina Simone Materials," at issue in this case, some of which appears to overlap with claims raised in the related case *Brown v. Stroud*, 08-CV-2348-JSW. In response to a motion to dismiss his counterclaims in this action, Stroud claims that the MAA was rescinded effective February 1, 2012.

The Court HEREBY ORDERS the parties to meet and confer in person or by videoconference by no later than April 6, 2012, to determine whether they can resolve this litigation without further court involvement.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By no later than April 9, 2012, the parties shall submit a joint report to the Court in which they shall advise the Court whether or not they have been able to resolve the matter. If the parties advise the Court that they have not been able to resolve the matter, the Court shall issue a ruling on the motion to dismiss Stroud's counterclaims.

IT IS SO ORDERED.

Dated: March 14, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE