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

16 AF HOLDINGS LLC,)
 17)
 18 Plaintiff,)
 19 v.)
 20)
 21 JOE NAVASCA,)
 22)
 23 Defendant.)
 24)
 25)
 26)
 27)
 28)

No. 3:12-CV-02396-EMC

**STIPULATION TO POSTPONE ENE;
PROPOSED ORDER**

STIPULATION TO POSTPONE EARLY NEUTRAL EVALUATION; PROPOSED ORDER

29 Plaintiff AF Holdings LLC and Defendant Joe Navasca hereby agree and stipulate that, in
 30 light of the Court’s Order Granting Defendant’s Motion to Require Undertaking (ECF No. 51,
 31 “February 5 Order”), the upcoming Early Neutral Evaluation (“ENE”) scheduled for February 28,
 32 2013 should be postponed indefinitely until the final resolution of the undertaking matter. Both
 33 parties agree that such a postponement would allow for the undertaking issue to be fully resolved,
 34 and, at that juncture, it will be clear whether (and when) the ENE should be rescheduled. Both

1 parties agree that this postponement is beneficial to everyone, including the Court and the ENE
2 officer, because it prevents the potential for waste of valuable time and resources.

3 As such, both parties hereby request that Court approve of this stipulation pursuant to Local
4 Rule 7-12, and order that the ENE currently scheduled for February 28, 2013 is postponed until
5 further notice.

6 DATED: February 6. 2013

7 PRENDA LAW INC.,

8 By: /s/ Brett L. Gibbs, Esq.

9 Brett L. Gibbs, Esq. (SBN 251000)
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15 Attorney for Plaintiff AF Holdings LLC

16 DATED: February 7, 2013

17 NICHOLAS RANALLO, ATTY AT LAW

18 By: /s/ Nicholas Ranallo
19 Nicholas Ranallo
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24 Attorney for Joe Navasca

25 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

26 DATED: February 6, 2013

27 U.S. District Court
28 The Honorable Ed

