

JAMES M. BRADEN (SBN # 102397))  
Law Offices of James M. Braden  
44 Montgomery Street, Suite 1210  
San Francisco, CA 94104

Telephone: (415) 398-6865  
Facsimile: (415) 788-5605  
Email: Braden@sf-lawyer.com

Attorney for Appellant/Defendant  
Patricia Hewlett

JEFFREY L. FILLERUP (SBN # 120543)  
McKenna Long and Aldridge LLP

Rincon Center II  
121 Spear St. #20  
San Francisco, CA 94105  
Telephone: (415) 356-4600  
Facsimile: (415) 356-4610  
Email: jfillerup@mckennalong.com

Attorneys for Appellee/Plaintiff  
Janina M. Elder-Hoskins, Chapter 11 Trustee

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

PATRICIA HEWLETT,  
Appellant/Defendant,  
v.  
JANINA MARIA ELDER-HOSKINS,  
Appellee/Plaintiff.

CASE NO. C-13-00328 CRB  
Bankruptcy Court Case No. 07-03071 TC  
STIPULATION AND [PROPOSED] ORDER  
EXTENDING BY 60 DAYS APPELLANT'S  
TIME TO FILE OPENING BRIEF  
Date: Ex Parte  
Time: Ex Parte  
Judge: Hon. Charles R. Breyer

1 Appellant/Defendant Patricia Hewlett (“Appellant”), by and through her newly-retained  
2 attorney James Braden, and Appellee/Plaintiff Janina M. Elder-Hoskins (“Appellee”), by and  
3 through her attorney Jeffrey Fillerup, hereby stipulate as follows, and ask the Court to approve  
4 these terms by an Order confirming them:

5 (1) Appellant previously filed a motion, acting in pro se, for an extension of time to  
6 file her opening brief. The Court granted that motion, which extended the time to file her  
7 Appellant’s Opening Brief (“AOB”) from March 11, 2013 to April 8, 2013.

8 (2) On April 3, 2013, Appellant met for the first time with undersigned attorney  
9 James Braden. When Braden appreciated that the deadline for filing the AOB is next Monday,  
10 April 8, 2013, he informed Appellant that his ability to effectively represent her in this case  
11 would depend upon obtaining a sufficient amount of extended time to file the AOB.  
12

13 (3) Braden spoke this morning with undersigned attorney Jeffrey Fillerup concerning  
14 such an extension of time. Braden and Fillerup agreed that Braden, and thus Appellant, may  
15 have an extension of time of 60 days from the current due date of April 8, 2013 i.e. through and  
16 including June 7, 2013, to file Appellant’s AOB, conditioned on the following additional points  
17 of agreement:  
18

19 (A) Under no circumstances whatsoever will Braden, as Appellant’s attorney,  
20 ask for any further extension of time beyond June 7, 2013 to file the AOB. If Braden  
21 nevertheless makes such a request, Fillerup and Appellee will oppose it on the ground that it  
22 violates this Stipulation and Order.  
23

24 (B) Under no circumstances whatsoever will Appellant herself, even if Braden  
25 is no longer representing her for whatever reason, including her possible termination of Braden’s  
26

1 services, ask for any further extension of time beyond June 7, 2013 to file the AOB. If  
2 Appellant nevertheless makes such a request, Fillerup and Appellee will oppose it on the ground  
3 that it violates this Stipulation and Order.

4 (C) Under no circumstances whatsoever will any new attorney for Appellant,  
5 other than Braden, ask for any further extension of time beyond June 7, 2013 to file the AOB. If  
6 any such new attorney nevertheless makes such a request, Fillerup and Appellee will oppose it  
7 on the ground that it violates this Stipulation and Order.

8 (4) So long as Appellant timely files the AOB, then Appellee's response brief will be  
9 due on or before July 15, 2013, and Appellant's reply brief, if any, will be due on or before July  
10 31, 2013.

11 (5) The parties agree that Braden may and shall present this executed Stipulation  
12 immediately, on an ex parte basis, by electronic filing, and supplemental email or hand-delivery,  
13 as may be appropriate, in order to obtain as promptly as possible the Court's Order confirming  
14 and endorsing these agreed terms.

15 Dated: April 4, 2013

Dated: April 4, 2013

16 MCKENNA LONG AND ALDRIDGE LLP

LAW OFFICES OF JAMES BRADEN

17 By: /s/ Jeffrey Fillerup  
18 Jeffrey Fillerup

By: /s/ James Braden  
James Braden

19 Attorneys for Appellee  
20 Janina Maria Elder-Hoskins

Attorney for Appellant Patricia Hewlett

**ORDER**

GOOD CAUSE APPEARING, the above-stated terms of the parties' Stipulation are hereby confirmed and adopted as an Order of this Court, so that the due date for Appellant's Opening Brief is hereby extended from April 8, 2013 to June 7, 2013. Appellee's response brief is due by July 15, 2013, and Appellant's reply brief, if any, is due by July 31, 2013.

Dated: April 8, 2013

