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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 SECURITIES AND EXCHANGE
 COMMISSION,

Case No. 3:15-cv-01461-SC

14
 15 Plaintiff,

**STIPULATION AND ~~PROPOSED~~ ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE**

16 v.

17 ANDREW M. MILLER,

18 Defendant.
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1 Pursuant to Civil Local Rules 6-2 and 7-12, plaintiff Securities and Exchange Commission
2 (the “Commission”) and defendant Andrew Miller (collectively, the “Parties”) respectfully submit
3 the following Stipulation and [Proposed] Order Continuing the Initial Case Management
4 Conference currently set for September 25, 2015, at 10:00 a.m.

5 **FACTUAL BACKGROUND TO THE PARTIES’ STIPULATION**

6 In support of this stipulation, the undersigned Parties provide the following facts, which
7 are verified in the supporting Declaration of Michael P. Kniffen:

8 1. On March 31, 2015, the Commission filed the Complaint in this action.
9 (ECF No. 1.)

10 2. On April 17, 2015, this action was reassigned to the Honorable Samuel Conti.
11 (ECF No. 5.)

12 3. On April 17, 2015, the Court set an Initial Case Management Conference for
13 June 26, 2015. (ECF No. 6.)

14 4. On May 29, 2015, the parties filed a Stipulation and [Proposed] Scheduling Order,
15 which requested an early settlement conference. (ECF No. 13.)

16 5. On June 4, 2015, the Court granted the parties’ request for a settlement conference
17 and rescheduled the Initial Case Management Conference for September 25, 2015. (ECF No. 15.)

18 6. On June 26, 2015, the Court referred this case to Magistrate Judge Laurel Beeler
19 for the settlement conference.

20 7. On June 29, 2015, Magistrate Judge Beeler issued an order setting a settlement
21 conference date for October 13, 2015. (ECF No. 16.)

22 8. On July 6, 2015, pursuant to Magistrate Judge Beeler’s order, the Commission
23 notified the courtroom deputy that it had a conflict on October 13, 2015. Magistrate Judge
24 Beeler’s courtroom deputy informed the Commission that Judge Beeler’s next available dates for
25 a settlement conference are during the week of November 2, 2015, and the parties agreed to file a
26 stipulation requesting November 4, 2015, for the settlement conference. (*See* ECF No. 17.)

27 9. On July 15, 2015, Magistrate Judge Beeler approved the parties’ stipulation and
28 issued an order setting a settlement conference date for November 4, 2015. (ECF No. 18.)

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IT IS SO STIPULATED.

Dated: September 15, 2015

MORRISON & FOERSTER LLP

By: /s/ Craig D. Martin
Craig D. Martin

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Attorneys for Defendant Andrew Miller

Dated: September 15, 2015

SECURITIES AND EXCHANGE COMMISSION

By: /s/ Susan F. LaMarca
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ECF ATTESTATION

I, Michael Kniffen, am the ECF User whose ID and Password are being used to file this Stipulation. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Craig Martin and Susan LaMarca have concurred in this filing.

Dated: September 15, 2015

MORRISON & FOERSTER LLP

By: /s/ Michael P. Kniffen
 Michael P. Kniffen

Attorneys for Defendant Andrew Miller

