

1 LAW OFFICES OF ABE LAMPART, P.C.
 2 ABE LAMPART (SBN 92406, NYS Bar #1653633)
 3 CHRISTINE PHAM (SBN 227033)
 4 456 Montgomery Street, Suite 1300
 5 San Francisco, CA 94104
 6 Telephone: 415-274-0999
 7 Facsimile: 415-274-2563
 8 Email address: abe@lampartlaw.com

9 PADUANO & WEINTRAUB LLP
 10 ANTHONY PADUANO (admitted pro hac vice)
 11 1251 Avenue of the Americas
 12 Ninth Floor
 13 New York, New York 10020
 14 Telephone: 212-785-9100
 15 Facsimile: 212-785-9099
 16 Email address: ap@pwlawyers.com

17 Attorneys for Counterdefendant Kalpesh Vaghani

18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA

<p>20 KAPU GEMS and KAPU GEMS LTD.,</p> <p>21 Plaintiffs,</p> <p>22 v.</p> <p>23 DIAMOND IMPORTS, INC.</p> <p>24 and YAIR YACHDAV,</p> <p>25 Defendants.</p>	<p>Case No. CV 15-03531-MMC</p> <p>[PROPOSED] ORDER RESCHEDULING HEARING ON KALPESH VAGHANI'S MOTION TO DISMISS COUNTERCLAIM FOR DAMAGES</p>
<p>26 DIAMOND IMPORTS, INC.,</p> <p>27 Counterclaimant,</p> <p>28 v.</p> <p>KAPU GEMS, KAPU GEMS LTD., and KALPESH VAGHANI.</p> <p>Counterdefendants.</p>	

1 Counterdefendant Kalpesh Vaghani (“Vaghani”), having moved pursuant to Fed. R. Civ
2 Proc. 4(a)(1)(c), 4(a)(1)(F) and 4(a)(1)(G), Fed. R. Civ. Proc. 5(b)(2)(B)(i), Fed. R. Civ. Proc.
3 12(b)(6), and Fed. R. Civ. Proc. (9)(b) to dismiss the Counterclaim for Damages of Defendant
4 Diamond Imports, Inc., and a hearing on the Motion to Dismiss having been scheduled before this
5 Court on July 22, 2016 at 9:00 AM; and

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7 Vaghani having met and conferred with Defendants on June 15, 2016 to reschedule the
8 hearing and having been unable to reach a consensus; and

9 Vaghani having moved pursuant to Fed. R. Civ. P. 6(b)(1)(A) and USDC Northern District
10 of California Civil Local Rule 6-1(a), that because Vaghani’s counsel has a previously scheduled
11 final pre-trial conference at 8:30 AM on July 22, 2016 in a litigation before the Arizona Maricopa
12 County Superior Court entitled 4Front Advisors, LLC v. 203 Organix, LLC, Case. No. CV2014-
13 004980 for which he is lead counsel for the defendant and where a jury trial is set to commence on
14 August 15, 2016 and therefore cannot appear before this Court on the date previously Ordered;

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16 **FOR GOOD CAUSE SHOWN, IT IS SO ORDERED** that the following schedule on
17 Vaghani’s Motion to Dismiss is established:

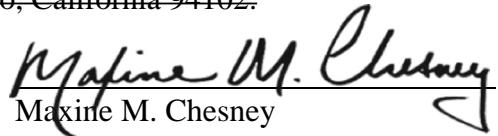
18 ~~(1) A hearing on Vaghani’s Motion to the Dismiss shall be held on July 22, 2016, at 2:30 PM~~
19 ~~before this Court in Courtroom 7 of the above-entitled Court, located at 450 Golden Gate Avenue,~~
20 ~~19th Floor, San Francisco, California 94102.; or~~

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22 ~~(2) A hearing on Vaghani’s Motion to the Dismiss shall be held on August 12, 2016 at~~
23 ~~9:00 a.m._____ before this Court in Courtroom 7 of the above-entitled Court, located at~~
24 ~~450 Golden Gate Avenue, 19th Floor, San Francisco, California 94102.; or.~~

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~~(3) A hearing on Vaghani's Motion to the Dismiss shall be held on August 19, 2016 at _____ before this Court in Courtroom 7 of the above-entitled Court, located at 450 Golden Gate Avenue, 19th Floor, San Francisco, California 94102.~~

Dated: June 20, 2016


Maxine M. Chesney
United States District Judge

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456 Montgomery St.
San Francisco CA 94104