

1 JAMES A. TIEMSTRA (Bar No. 96203)
 LISA LENHERR (Bar No. 258091)
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5 Attorneys for Appellant
 6 PIVOT POINT PARTNERS, LLC

7
 8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 In re:

11 INNOCENTI, LLC,
 12 Debtor.

No. 15-cv-04125-EMC

13 PIVOT POINT PARTNERS, LLC,
 14 Appellant,

THIRD STIPULATION TO EXTEND TIME
 FOR FILING BRIEFS

15 v.

16 INNOCENTI, LLC,
 17 Appellee.

18
 19 COMES NOW, PIVOT POINT PARTNERS, LLC (“Pivot Point”) by and through
 20 its attorneys of record, Tiemstra Law Group, PC; E. Lynn Schoenmann, (the “Coyle Trustee”), by
 21 and through her attorneys of record; and Barry Milgrom, (the “Innocenti Trustee”), by and
 22 through his attorneys of record, and stipulate as follows:

23 WHEREAS, on September 8, 2015, Pivot Point filed a Notice of Appeal pursuant
 24 to 28 U.S.C. § 158(a) or (b) from the judgment, order, or decree of the Honorable Hannah L.
 25 Blumenstiel, United States Bankruptcy Judge, entitled Order Denying Motion for Relief from
 26 Stay entered on August 24, 2015;

27 WHEREAS, on September 8, 2015, Pivot Point filed a Statement of Election to
 28 Appeal to the District Court;

1 WHEREAS, on October 15, 2015, the Record on Appeal in was entered in the
2 docket of this Court;

3 WHEREAS, on October 15, 2015, a scheduling order (the “Scheduling Order”)
4 was issued which advised the parties that appellant’s brief was to be filed and served on or before
5 November 16, 2015 (the “Opening Brief Deadline”), the appellee’s brief was to be filed and
6 served 20 days after service of appellant’s brief, and appellant’s reply brief was to be filed and
7 served within 10 days after service of appellee’s brief;

8 WHEREAS, around the time of the Scheduling Order deadlines, the parties were
9 engaged in mediation through the United States Bankruptcy Court for the Northern District of
10 California’s Bankruptcy Dispute Resolution Program (“BDRP”) (*see* Bankr. Local Rules 9040-1
11 *et seq.*), in an attempt to reach a global compromise of issues arising from the *In re Innocenti* and
12 *WB Coyle* bankruptcy cases;

13 WHEREAS, given the then pending mediation, and in the interests of efficiency
14 and judicial economy, the parties entered into a Stipulation to Extend Time for Filing Brief
15 (Docket No. 5, filed Nov. 11, 2015), and this Court entered an Order extending the time to file the
16 Opening Brief for sixty (60) days (Docket No. 6, entered, Nov. 13, 2015);

17 WHEREAS, on January 13, 2016, the parties entered into a second Stipulation to
18 Extend Time for Filing Brief, agreeing to continue the time to file the Opening Brief for an
19 additional sixty (60) days to allow time to document a settlement in preparation for approval by
20 the Bankruptcy Court (Docket No. 9, filed Jan. 14, 2016), and this Court entered an Order
21 extending the time to file the Opening Brief for sixty (60) days (Docket No. 10, entered Jan. 19,
22 2016);

23 WHEREAS, the parties have not finalized the settlement agreement but are
24 continuing their efforts to do so;

25 WHEREAS, the parties agree that in the interests of efficiency and judicial
26 economy, the Opening Brief Deadline should be extended to and including April 8, 2016, to
27 allow completion of the documentation of the settlement agreement and approval by the
28 Bankruptcy Court;

1 WHEREAS, all other deadlines set forth in the Scheduling Order shall remain the
2 same; and

3 WHEREAS, the proposed order is attached hereto as Exhibit "A" and made a part
4 hereof.

5 NOW, THEREFOR, IT IS HEREBY STIPULATED AND AGREED, by and
6 between Pivot Point, the Coyle Trustee, and the Innocenti Trustee, by and through their respective
7 counsels of record, and in consideration of the forgoing, that the Opening Brief Deadline in the
8 above-captioned appeal, shall be extended to and including April 8, 2016.

9
10 Dated: March 15, 2016

TIEMSTRA LAW GROUP, PC

11
12 By: /s/ James A. Tiemstra
13 JAMES A. TIEMSTRA
14 Attorneys for Appellant
PIVOT POINT PARTNERS, LLC

15 Dated: March 15, 2016

FOX ROTHSCHILD, LLP

16
17 By: /s/ Michael A. Sweet
18 MICHAEL A. SWEET
19 Attorneys for Appellee
E. LYNN SCHOENMANN, Trustee of the
20 Estate of WB Coyle (Bankr. Case No. 13-
32412)

21 Dated: March 15, 2016

DENTONS US LLP

22
23 By: /s/ Jennifer C. Hayes
24 JENNIFER C. HAYES
25 Attorneys for Appellee
26 BARRY MILGROM, Trustee of the Estate
of Innocenti, LLC (Bankr. Case No. 15-
30690)

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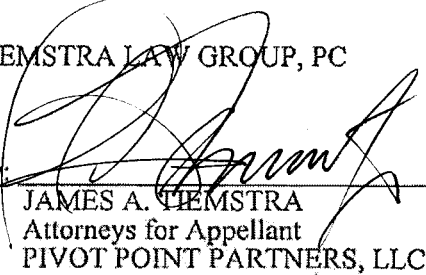
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WHEREAS, all other deadlines set forth in the Scheduling Order shall remain the same; and

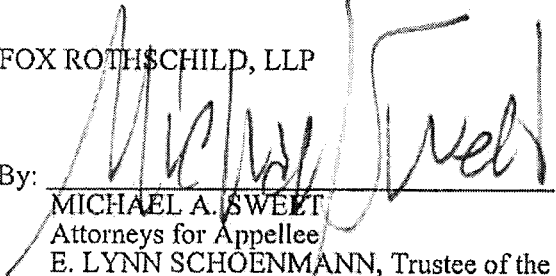
WHEREAS, the proposed order is attached hereto as Exhibit "A" and made a part hereof.

NOW, THEREFOR, IT IS HEREBY STIPULATED AND AGREED, by and between Pivot Point, the Coyle Trustee, and the Innocenti Trustee, by and through their respective counsels of record, and in consideration of the forgoing, that the Opening Brief Deadline in the above-captioned appeal, shall be extended to and including April 8, 2016.

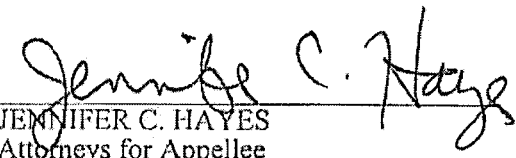
Dated: March 15, 2016

TIEMSTRA LAW GROUP, PC
By: 
JAMES A. TIEMSTRA
Attorneys for Appellant
PIVOT POINT PARTNERS, LLC

Dated: March 15, 2016

FOX ROTHSCCHILD, LLP
By: 
MICHAEL A. SWEET
Attorneys for Appellee
E. LYNN SCHOENMANN, Trustee of the
Estate of WB Coyle (Bankr. Case No. 13-32412)

Dated: March 15, 2016

DENTONS US LLP
By: 
JENNIFER C. HAYES
Attorneys for Appellee
BARRY MILGROM, Trustee of the Estate
of Innocenti, LLC (Bankr. Case No. 15-30690)

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LISA LENHERR (Bar No. 258091)
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5 Attorneys for Appellant
6 PIVOT POINT PARTNERS, LLC

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

10 In re:

11 INNOCENTI, LLC,
12 Debtor.

No. 15-cv-04125-EMC

13 PIVOT POINT PARTNERS, LLC,
14 Appellant,

ORDER APPROVING THIRD
STIPULATION TO EXTEND TIME FOR
FILING BRIEFS

15 v.

16 INNOCENTI, LLC
17 Appellee.

18
19 Upon the annexed Third Stipulation to Extend Time for Filing Briefs, the Court
20 having reviewed the papers on file herein, being fully advised thereby and good cause appearing
21 therefor,

22 IT IS HEREBY ORDERED, that the aforesaid Stipulation be, and the same is
23 hereby, approved and adopted in its entirety as the order of this Court.

24 IT IS SO ORDERED

25 _____
26 Edward M. Chen
27 U.S. District



28 **EXHIBIT A**

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LISA LENHERR (Bar No. 258091)
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10 In re:

11 INNOCENTI, LLC,
12 Debtor.

No. 15-cv-04125-EMC

13 PIVOT POINT PARTNERS, LLC,
14 Appellant,

PROOF OF SERVICE

15 v.

16 INNOCENTI, LLC,
17 Appellee.

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PROOF OF SERVICE

Pivot Point Partners, LLC v. Innocenti, LLC; District Court Case No. 15-cv-04125-EMC

I, Susan M. LeBlanc, declare:

I am a resident of the State of California and over the age of eighteen years, and not a party to the within action; my business address is 1111 Broadway, Suite 1501, Oakland, California 94607-4036. On March 15, 2016, I served the following document:

THIRD STIPULATION TO EXTEND TIME FOR FILING BRIEFS

by transmission of the Notice of Electronic Filing by the Clerk on the following CM/ECF participants:

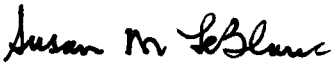
ATTORNEYS FOR BARRY MILGROM,
CHAPTER 7 TRUSTEE FOR THE
ESTATE OF APPELLEE INNOCENTI,
LLC:
Michael A. Isaacs
Dentons US LLP
Michael.Isaacs@dentons.com,
Alissa.Worthing@dentons.com

ATTORNEYS FOR E. LYNN
SCHOENMANN, CHAPTER 7 TRUSTEE
FOR THE ESTATE OF WB COYLE:
Michael A. Sweet
Fox Rothschild, LLP
msweet@foxrothschild.com,
cbryant@foxrothschild.com,
pchlum@foxrothschild.com

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on March 15, 2016, at Oakland, California.



Susan M. LeBlanc