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 14 and STEVE PRUITT

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15 Attorneys for Plaintiff  
 16 SCOTT HOLDINGS, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

18	SCOTT HOLDINGS, INC., a California	)	Case No. 3:16-CV-5317-JCS
19	corporation,	)	
20	Plaintiff,	)	<b>STIPULATION AND [PROPOSED]</b>
21	v.	)	<b>ORDER CONTINUING CASE</b>
22	FRANLOGIC SCOUT DEVELOPMENT, LLC,	)	<b>MANAGEMENT CONFERENCE</b>
23	a Pennsylvania limited liability company;	)	
24	ED SAMANE; LISA KORNSTEIN; HOWARD	)	Chief Magistrate Judge Joseph C. Spero
25	SOLOWAY; STEVE PRUITT; and DOES 1-50,	)	Courtroom G – 15th Floor
26	Defendants.	)	

26 This Stipulation is entered into by and among Plaintiff Scott Holdings, Inc. (“Plaintiff” or  
 27 “Scott Holdings”) and Defendants Franlogic Scout Development, LLC (“Franlogic”), Ed Samane,  
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1 Lisa Kornstein, Howard Soloway, and Steve Pruitt (collectively, “Defendants”)(Plaintiff and  
2 Defendants, collectively “the Parties”), by and through their respective counsel.

3 WHEREAS, at the initial Case Management Conference on December 16, 2016, the Court  
4 referred the Parties to ADR for mediation to occur within ninety days;

5 WHEREAS, on February 6, 2017, counsel for the Parties met with the assigned mediator,  
6 Tom Cohen, telephonically. At that meeting, the Parties discussed the concurrent litigation  
7 proceeding in the Eastern District of Pennsylvania (the “Pennsylvania Action”). Plaintiff had filed  
8 a Motion to Dismiss that action and oral argument was to be heard on February 7, 2017. In light of  
9 the substantial impact resolution of the Pennsylvania Action would have on the instant  
10 proceedings, the Parties agreed to delay mediation until a ruling was issued on the Motion to  
11 Dismiss;

12 WHEREAS, on February 7, 2017, the court in the Pennsylvania Action heard oral  
13 argument and ordered the Parties to each file a supplemental brief addressing certain issues that  
14 had been raised at argument. The Parties’ briefs were filed on February 15, 2017, but as of this  
15 writing no ruling has been issued;

16 WHEREAS, on May 18, 2017, counsel for Plaintiff was informed by Plaintiff’s local  
17 counsel in the Pennsylvania Action that the court there had requested a transcript of the oral  
18 arguments. Although it is presently unknown when the parties will receive a ruling in the  
19 Pennsylvania Action, the parties anticipate that a ruling is forthcoming;

20 WHEREAS, a Case Management Conference is currently set for June 16, 2017, with a  
21 Case Management Statement due from the Parties on June 9, 2017;

22 WHEREAS, the Parties agree that a 90-day continuance of the Case Management  
23 Conference will permit more efficient case management, will serve the interests of judicial  
24 economy, and will conserve the resources of the Parties and the Court;

25 NOW, THEREFORE, pursuant to Civil Local Rule 6-2(a), the Parties hereby stipulate and  
26 agree, through their respective counsel, as follows:  
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1. The June 16, 2017 Case Management Conference shall be taken off calendar, and rescheduled approximately ninety (90) days later on September 15, 2017, or another date that is convenient for the Court.
2. The deadline to file a Case Management Statement shall be continued to seven (7) days prior to the new date for the Case Management Conference.

**IT IS SO STIPULATED.**

DATED: June 8, 2017.

BARTKO, ZANKEL, BUNZEL & MILLER  
A Professional Law Corporation

By: /s/ C. Griffith Towle  
C. Griffith Towle / Sony B. Barari  
Attorneys for Defendants  
FRANLOGIC SCOUT DEVELOPMENT, LLC,  
ED SAMANE, LISA KORNSTEIN, HOWARD  
SOLOWAY, and STEVE PRUITT

DATED: June 8, 2017.

SINGLER PROFESSIONAL LAW CORPORATION

By: /s/ Nathan Verbiscar-Brown  
Nathan Verbiscar-Brown  
Attorneys for Plaintiff  
SCOTT HOLDINGS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 9, 2017

  
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THE HONORABLE JOSEPH C. SPERO  
CHIEF MAGISTRATE JUDGE