

1 Michael A. Isaacs, CSBN 99782
 LUCE, FORWARD,
 2 HAMILTON & SCRIPPS LLP
 Rincon Center II
 3 121 Spear Street, Suite 200
 San Francisco, CA 94105-1582
 4 Telephone No.: 415.356.4600
 Fax No.: 415.356.3895
 5 E-Mail: misaacs@luce.com

6 Attorneys for DAVID A. BRADLOW,
 Chapter 11 Trustee and Appellee

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 OAKLAND DIVISION

11 In re
 12 600 ALABAMA LLC,
 a California corporation,
 13
 Debtor.

Case No. CV 09-04378 SBA
 Bk. No. 08-31434-DM
 Chapter 11

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 15 MARIN MORTGAGE BANKERS CORP
 ("MMB"), as servicing agent for CHARLES J.
 FLYNN AND/OR MIK P. FLYNN, OR
 16 THEIR SUCCESSORS IN TRUST, UNDER
 THE FLYNN FAMILY LIVING TRUST,
 17 DATED MAY 7, 1999, AND ANY
 AMENDMENTS THERETO ET AL AS TO
 18 AN UNDIVIDED \$1,270,000.00 INTEREST,

**STIPULATION AND ORDER RE
 EXTENSION OF TIME FOR FILING
 APPELLEE'S OPENING BRIEF RE
 APPEAL FROM BANKRUPTCY COURT**

[Civil L.R. 6-2, Civil L.R. 7-12]

19 Appellant,

20
 21 vs.

22 DAVID A. BRADLOW, CHAPTER 11
 TRUSTEE OF THE ESTATE OF 600
 23 ALABAMA LLC,

24 Appellee.
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26 The parties in the above-referenced appeal which is from an order of the United States
 27 Bankruptcy Court, Marin Mortgage Bankers Corp ("MMB"), as Servicing Agent for Charles J. Flynn
 28 And/Or Mik P. Flynn, or Their Successors In Trust, Under The Flynn Family Living Trust, Dated

1 May 7, 1999, and any Amendments Thereto et al as to An Undivided \$1,270,000.00 Interest
2 (“Appellant”) and David A. Bradlow, Chapter 11 Trustee of 600 Alabama LLC (“Appellee”), by and
3 through their counsel of record, hereby stipulate that the time for filing the Appellee’s Opening Brief
4 may be continued for fifteen (15) days.

5 At the present time, the Appellee’s Opening Brief is due twenty (20) days after service of
6 Appellant’s Brief, i.e. 20 days from October 26, 2009, or November 16, 2009. The parties agree that
7 that time period may be extended until December 1, 2009.

8 DATED: November 2, 2009

Respectfully submitted,
LUCE, FORWARD, HAMILTON & SCRIPPS LLP

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By: /s/Michael A. Isaacs, Esq., CSBN 99782
MICHAEL A. ISAACS
Attorneys for DAVID A. BRADLOW,
Chapter 11 Trustee and Appellee

DECLARATION RE LOCAL RULE 6-2

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- I, Michael A. Isaacs, declare as follows:
 - 1. I am a partner in the law firm of Luce, Forward, Hamilton & Scripps LLP, counsel for David A. Bradlow, Chapter 11 Trustee of the estate of 600 Alabama LLC (the “Trustee”).
 - 2. This appeal is from an order by the United States Bankruptcy Court for the Northern District of California, the Honorable Dennis Montali, denying Appellant’s motion to remove the Trustee.
 - 3. The Court’s records reflect that on September 17, 2009, Appellant filed its Notice of Appeal from Bankruptcy Court.
 - 4. The Court’s records further indicate that Appellant’s Opening Brief was filed and served on October 26, 2009.
 - 5. Currently, Appellee’s Opening Brief is to be filed and served on or before November 16, 2009.
 - 6. During the litigation that occurred before the Bankruptcy Court regarding the Appellant’s motion to remove the Trustee, Jeffrey Fillerup (“Mr. Fillerup”) a partner in the firm of

1 Luce, Forward, Hamilton & Scripps LLP, defended the depositions of the Trustee. It was
2 contemplated that Mr. Fillerup would be defending this appeal, or, at a minimum, assisting in the
3 defense of the appeal because of his background in this case.

4 7. On October 17, 2009, Mr. Fillerup was involved in a very serious bicycle accident. He
5 was hospitalized with a head injury. Thus, he has been out of the office since the accident. It is
6 contemplated that he might return to the office the first week of November; however, at the present
7 time, I do not know of his ability to participate in this appellate process. I believe that Mr. Fillerup's
8 participation is important, not only because of his background, but because he has handled various
9 other appeals from Bankruptcy Court orders to the District Court.

10 8. No other extensions of time have been requested.

11 9. On October 29, 2009, I spoke with Spencer Scheer, Scheer Law Group LLP, counsel
12 for the Appellant. Mr. Scheer indicated that he had no objection to an extension of time.

13 I declare under penalty of perjury under the laws of the United States of America and the State
14 of California that the foregoing is true and correct. Executed on November 2, 2009 in San Francisco,
15 California.

16 /s/Michael A. Isaacs, Esq., CSBN 99782
17 Michael A. Isaacs, Attorney for Appellee

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19 NOW, THEREFORE THE PARTIES STIPULATE to the entry of an order extending the time
20 period within which the Appellee must file its Opening Brief until December 1, 2009.

21 DATED: November 2, 2009 SCHEER LAW GROUP, LLP

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23 By: /s/Spencer P. Scheer, Esq., CSBN 107750
24 SPENCER P. SCHEER,
25 Attorneys for Appellant MARIN MORTGAGE
26 BANKERS CORP ("MMB"), as servicing agent for
27 CHARLES J. FLYNN AND/OR MIK P. FLYNN, OR
28 THEIR SUCCESSORS IN TRUST, UNDER THE
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DATED: November 2, 2009

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

By: /s/Michael A. Isaacs, Esq., CSBN 99782
MICHAEL A. ISAACS
Attorneys for Appellee DAVID A. BRADLOW,
Chapter 11 Trustee

PURSUANT TO STIPULATION IT IS SO ORDERED

Dated: 11-4-09 
JUDGE OF THE UNITED STATES DISTRICT COURT