

1 ROD O. DIVELBISS (SBN 102345)  
 RDIVELBISS@COLLETTE.COM  
 2 COLLETTE ERICKSON FARMER & O'NEILL LLP  
 235 PINE STREET, SUITE 1300  
 3 SAN FRANCISCO, CA 94104  
 TELEPHONE: (415) 788-4646  
 4 FACSIMILE: (415) 788-6929

5  
 6 SCOTT E. SILBERFEIN (*Pro Hac Vice*)  
 JENNIFER NIGRO (*Pro Hac Vice*)  
 MOSES & SINGER LLP  
 7 The Chrysler Building  
 405 Lexington Avenue  
 8 New York, New York 10174-1299  
 Telephone: (212) 554-7800  
 9 Facsimile: (212) 554-7700

10 Attorneys for Defendants Northern Leasing Systems, Inc., MBF  
 Leasing, LLC, Northern Funding, LLC, SKS Associates, LLC, Jay  
 11 Cohen, Sara Krieger, Leonard Mezei and Sam Buono

12  
 13 **UNITED STATES DISTRICT COURT**  
 14 **NORTHERN DISTRICT OF CALIFORNIA**  
 15 **OAKLAND DIVISION**

17 JUST FILM, INC.; ET AL.,  
 18 Plaintiffs,  
 19 v.  
 20 MERCHANT SERVICES, INC.; ET AL.,  
 21 Defendants.  
 22

CASE NO. CV 10-01993 CW  
  
 JOINT STIPULATION PURSUANT TO  
 LOCAL CIVIL RULE 6-2(b) TO  
 EXTEND TIME TO RESPOND TO  
 PLAINTIFFS' MOTION TO COMPEL AND  
 PLAINTIFFS' MOTION TO SANCTION

23  
 24  
 25  
 26  
 27  
 28 Case No. C 10-1993 CW

JOINT STIPULATION PURSUANT TO LOCAL CIVIL RULE 6-2 TO EXTEND TIME TO RESPOND TO  
 PLAINTIFFS' MOTION TO COMPEL AND PLAINTIFFS' MOTION TO SANCTION

1 WHEREAS, on December 11, 2012, Plaintiffs filed a motion to compel Leasing  
2 Defendants (Northern Leasing Systems, Inc., MBF Leasing, LLC, Northern Funding, LLC, SKS  
3 Associates, LLC, Jay Cohen, Sara Krieger, Leonard Mezei and Sam Buono) to produce documents  
4 from other lawsuits, and a motion to sanction Leasing Defendants for failure to comply with  
5 discovery (dkt. #s 428 and 429, respectively) (“Plaintiffs’ Motions”);

6 WHEREAS, under the Local Rules, Leasing Defendants’ response(s) to Plaintiffs Motions  
7 would have been due during the week of the Christmas holiday when the parties and counsel were  
8 unavailable;

9 WHEREAS, counsel for Plaintiffs and Leasing Defendants agreed, via joint stipulation  
10 pursuant to Local Civil Rule 6-2(b), to extend Leasing Defendants time to respond to Plaintiffs’  
11 Motions from December 26, 2012 to January 3, 2013, and to extend Plaintiffs’ time to reply to  
12 January 8, 2013, with a hearing on Plaintiffs’ Motions set for January 15, 2013;

13 WHEREAS, on or about December 20, 2012, the parties’ joint stipulation and proposed  
14 order was filed with the Court (dkt. # 436);

15 WHEREAS, an MS Word version of the parties’ joint stipulation and proposed order was  
16 submitted to the email address of Magistrate Elizabeth D. Laporte, pursuant to Local Rule 5-1;

17 WHEREAS, by ECF notice dated December 27, 2012, the Court so-ordered the parties’  
18 joint stipulation but modified the proposed order submitted therewith to reflect a new hearing date  
19 of January 29, 2013 at 4:00 p.m.(dkt. # 437);

20 WHEREAS, counsel for Plaintiffs and Leasing Defendants agreed, via joint stipulation  
21 pursuant to Local Civil Rule 6-2(b), to further extend Leasing Defendants time to respond to  
22 Plaintiffs’ Motions from January 3, 2013 to January 8, 2013, and to extend Plaintiffs’ time to reply  
23 to January 15, 2013, with a hearing on Plaintiffs’ Motions set for January 29, 2013;

24 WHEREAS, on or about January 2, 2013, the parties’ joint stipulation and proposed order  
25 was filed with the Court (dkt. # 438);

26 WHEREAS, an MS Word version of the parties’ joint stipulation and proposed order was  
27 submitted to the email address of Magistrate Elizabeth D. Laporte, pursuant to Local Rule 5-1;

28 Case No. C 10-1993 CW

1 WHEREAS, by ECF notice dated January 3, 2013 the Court so-ordered the parties' joint  
2 stipulation extending Leasing Defendants' time to respond to Plaintiffs' Motions from January 3,  
3 2013 to January 8, 2013, and extending Plaintiffs' time to reply to January 15, 2012, with a  
4 hearing on Plaintiffs' Motions set for January 29, 2013 (dkt. #439);

5 WHEREAS, the parties, through counsel, continue to meet and confer in good faith to  
6 resolve the issues set forth in Plaintiffs' Motions, and have agreed to further extend Leasing  
7 Defendants' time to respond to Plaintiffs' Motions from the current deadline of January 8, 2013 to  
8 January 11, 2013, with Plaintiffs' reply due January 15, 2013, with a hearing on Plaintiffs'  
9 Motions set for January 29, 2013;

10 WHEREAS, the foregoing extension will not change the January 29, 2013 hearing date  
11 ordered by the Court (dkt. #437);

12 WHEREAS, two prior extensions with respect to Plaintiffs' Motions have been requested  
13 as set forth above;

14 NOW, THEREFORE, IT IS STIPULATED, by and between the undersigned parties  
15 through their respective counsel of record, pursuant to Local Civil Rules 6-1(b) and 2(a), that the  
16 Court extend Leasing Defendants' time to respond to Plaintiffs' Motions from January 8, 2013 to  
17 January 11, 2013; Leasing Defendants shall have an extension to January 11, 2013 to file and  
18 serve their responses to Plaintiffs' Motions; Plaintiffs shall file and serve their reply by January  
19 15, 2013; and the hearing on Plaintiffs' Motions shall be January 29, 2013 at <sup>1:30</sup>~~4:00~~ p.m. before  
20 Hon. Magistrate Judge Elizabeth Laporte.

21 DATED: January 4, 2013

22 Respectfully submitted,

23 MOSES & SINGER LLP

24 By /s/ Jennifer Nigro  
25 Jennifer Nigro

26 Attorneys for Defendants Northern Leasing  
27 Systems, Inc., MBF Leasing, LLC, Northern

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Funding, LLC, SKS Associates, LLC,  
Jay Cohen, Sara Krieger, Leonard Mezei and  
Sam Buono

Scott E. Silberfein (pro hac vice)  
Jennifer Nigro (pro hac vice)  
Moses & Singer LLP

Rod O. Divelbiss  
Collette Erickson Farmer & O'Neill LLP

GUTRIDE SAFIER LLP

By: /s/ Kristen Simplicio  
Kristen Simplicio, Esq.

Attorneys for Plaintiffs

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Pursuant to Local Civil Rule 6-2(a), and GOOD CAUSE APPEARING THEREFOR,

**IT IS SO ORDERED.**

DATED: January 7, 2013

  
THE HONORABLE ELIZABETH I. LAPORTE  
UNITED STATES MAGISTRATE JUDGE