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8 Attorneys for Plaintiffs
 9 ALEXANDER GRAHAM-SULT and DAVID GRAHAM

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **OAKLAND DIVISION**

13 ALEXANDER GRAHAM-SULT, an
 14 individual and DAVID GRAHAM, an
 15 individual,

16 Plaintiffs,

17 v.

18 NICHOLAS P. CLAINOS, an individual,
 19 RICHARD L. GREENE, an individual,
 20 LINDA McCALL, an individual, GREENE
 21 RADOVSKY MALONEY SHARE &
 22 HENNIGH LLP, a limited liability
 23 partnership, BILL GRAHAM ARCHIVES
 24 LLC, d/b/a WOLFGANG'S VAULT, a
 25 limited liability company, NORTON LLC,
 26 a limited liability company, and WILLIAM
 27 E SAGAN, an individual,

28 Defendants.

Case No. 4:10-cv-04877-CW

STIPULATION AND ~~PROPOSED~~
ORDER REQUESTING NEW CASE
MANAGEMENT CONFERENCE DATE

Judge: Hon. Claudia Wilken

22 Plaintiffs ALEXANDER GRAHAM-SULT, an individual, and DAVID GRAHAM, an
 23 individual (“plaintiffs”), and defendants NICHOLAS P. CLAINOS, an individual, BILL
 24 GRAHAM ARCHIVES LLC, d/b/a WOLFGANG’S VAULT, a limited liability company,
 25 NORTON LLC, a limited liability company, and WILLIAM E SAGAN, an individual
 26 (“defendants”) by and through their respective counsel, stipulate and agree as follows.
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A. WHEREAS, on April 28, 2014, the Clerk of this Court gave notice that a Case Management Conference had been scheduled for May 21, 2014 at 2:00 p.m.

B. WHEREAS, counsel for plaintiff, Therese Y. Cannata, is unavailable on May 21, 2014 at 2:00 p.m. to appear at the Case Management Conference due to a previous commitment. See Cannata Decl., filed concurrently, at ¶2.

C. WHEREAS, the parties met and conferred about re-scheduling the Case Management Conference.

Now, therefore, it is hereby stipulated and agreed, by and among the parties hereto through their undersigned attorneys of record, subject to the approval of the Court, as follows:

The parties hereby agree to continue the Case Management Conference from May 21, 2014 at 2:00 p.m. to **June 4, 2014** at 2:00 p.m. Correspondingly, the parties agree to move the deadline for the Case Management Statement from May 14, 2014 to **May 28, 2014**.

Dated: May __, 2014

Dated: May __, 2014

CANNATA, CHING & O'TOOLE LLP

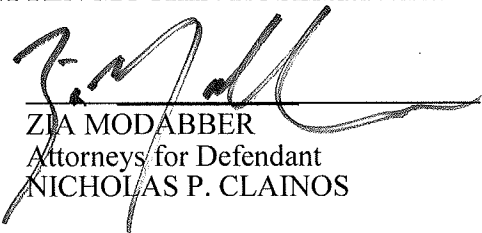
WINSTON & STRAWN

By: _____
THERESE CANNATA
Attorneys for Plaintiffs ALEXANDER
GRAHAM-SULT and DAVID
GRAHAM

By: _____
ERIN RANAHAN
Attorneys for Defendants BILL
GRAHAM ARCHIVES LLC, d/b/a
WOLFGANG'S VAULT, NORTON
LLC, and WILLIAM E. SAGAN

Dated: May 8, 2014

KATTEN MUCHIN ROSEMAN LLP

By: 
ZIA MODABBER
Attorneys for Defendant
NICHOLAS P. CLAINOS

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 12, 2014


CLAUDIA WILKEN
United States District Judge

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23 HENNIGH LLP, a limited liability
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27 limited liability company, and WILLIAM E.
28 SAGAN, an individual,

Defendants.

CASE NO. 4:10-cv-04877-CW

**DECLARATION OF THERESE Y.
CANNATA IN SUPPORT OF REQUEST
FOR A NEW CASE MANAGEMENT
CONFERENCE DATE**

Judge: Hon. Claudia Wilken

I, THERESE Y. CANNATA, hereby declare as follows:

1. I am an attorney at law, duly licensed to practice before all Courts of the State of California, and am in good standing with the State Bar of California. I am a member of the law firm of Cannata, Ching & O'Toole, LLP, attorneys of record for plaintiffs Alexander Graham-Sult and David Graham. I make this declaration based upon my personal knowledge, except where indicated upon information and belief. If called upon to testify as to the truth of the

1 matters set forth herein, I could and would do so based upon my own personal knowledge, and as
2 to those matters stated upon information and belief, I believe them to be true.

3 2. On May 21, 2014, I have an all-day teaching obligation for the National Institute
4 of Trial Advocacy located at the Sierra Club in San Francisco, California. This teaching
5 obligation was scheduled before this Court provided its April 28, 2014 notice of the May 21,
6 2014 Case Management Conference.

7 3. On May 6, 2014, my assistant, Mr. Lindarto, contacted the Clerk of this
8 Court, Ms. Riley, in order to obtain possible new dates for the Case Management Conference. I
9 am informed and believe the Ms. Riley stated that Judge Wilken generally handles Case
10 Management Conferences every Wednesday at 2:00 p.m., but that Mr. Lindarto should check the
11 Court's schedule to ensure that the Court is available on the new date. I am informed and believe
12 that Mr. Lindarto checked the Court's calendar and determined that the Court and my office were
13 both available on Wednesday, June 4, 2014 at 2:00 p.m. As such, this is the date we proposed to
14 all counsel for the new Case Management Conference.

15 4. Since returning to the trial court from the Ninth Circuit, there have been no
16 previous time modifications in this case, whether by stipulation or Court order.

17 5. I do not anticipate that this requested time modification will have any effect on the
18 schedule for this case.

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21 Dated: May 9, 2014

CANNATA, CHING & O'TOOLE LLP

22
23 /s/ Therese Y. Cannata
24 THERESE Y. CANNATA
25 Attorneys for Plaintiffs Alexander Graham-Sult and
26 David Graham
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