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5
 6 UNITED STATES DISTRICT COURT
 7 NORTHERN DISTRICT OF CALIFORNIA
 8

9 PATRICK K. PORTER,
 10 Plaintiff

11 v.

12 DALE ANN SPRINGER, an individual;
 13 BRUCE SPRINGER, an individual; SUZY
 PRUDDEN, an individual; DR. JIM VIGUE,
 14 an individual; DR. TOM HANSON, an
 individual; LYNETTE OWENS, an
 15 individual; MICHAEL GRADY, an
 individual; NEWREALITY LLC, a California
 16 Limited Liability Company; NEWREALITY
 INC., Nevada Corporation.

17 Defendants

18 And related cross-action.
 19

No. C11-00363 SBA

**STIPULATION AND REQUEST
 FOR ORDER TO CONTINUE
 ENE COMPLETION DATE**

Hon. Sandra Brown Armstrong
 Oakland Courthouse, Courtroom 1

Case Filed: January 25, 2011

20 COMES NOW *JOINTLY*, PATRICK K. PORTER, DALE ANN SPRINGER, BRUCE
 21 SPRINGER, NEWREALITY LLC, NEWREALITY INC., DR. JIM VIGUE, and DR. TOM
 22 HANSON who stipulate and move this Court for an Order continuing the Early Neutral Evaluation
 23 (“ENE”) completion date.
 24

1 This Stipulation and request for Order is made on the following grounds:

2 1. On August 15, 2011, this case was referred to an ENE, with Michael A. Jacobs, Esq.
3 as evaluator. Pursuant to the Local Rule ENE 5.4 (b), the ENE process must be completed within
4 90 days, or November 13, 2011.

5 2. The parties held their initial conference as scheduled by Mr. Jacobs on October 7,
6 2011. As part of the ENE process, the parties and evaluator have agreed to exchange initial
7 informal discovery, and draft legal briefs on issues pertinent to evaluation of Plaintiff's claims. This
8 process is continuing.

9 3. In order to allow for the above process to be beneficial for the parties and the
10 evaluator, and to allow for a mutually available time for an ENE conference, the parties and
11 evaluator seek an extension of the deadline to complete the ENE, by 30 days, to December 12,
12 2011.

13 4. The undersigned parties stipulate and join in this request for an order granting the
14 extension.

15 5. The filing counsel (David A. Veljovich) hereby certifies and represents that Ms.
16 Speth and Mr. Martin authorized the signing of their names to this document.

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