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

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14 JAMES BLACKMON, an individual;  
 15 and JOHN GRAY, an individual,  
 16  
 17 Plaintiffs,  
 18 v.  
 19 GLENN TOBIAS a/k/a GLEN TOBIAS,  
 20 etc., et al.,  
 21  
 22 Defendants.

Case No: CV-11-2853-SBA

**JOINT STIPULATION TO MODIFY  
 THE BRIEFING SCHEDULE ON  
 DEFENDANTS' MOTIONS TO DISMISS**

Date: January 24, 2012  
 Time: 1:00 p.m.  
 Courtroom: 1, Fourth Floor  
 Judge: Hon. Sandra Brown Armstrong

1 The Tobias Defendants filed a Motion to Dismiss on August 12, 2011 (Dkt. No. 30).  
2 Defendants Andreae and Enchanted Success filed a Motion to Dismiss on August 19, 2011 (Dkt.  
3 No. 33). The hearings on these Motions to Dismiss were set for December 6, 2011, but the  
4 parties submitted a joint stipulation requesting the hearings be moved to January 24, 2011. (Dkt.  
5 No. 35).

6 Pursuant to Local Rules 6-1(b) and 7-12, Plaintiffs' counsel has conferred with  
7 Defendants' counsel, and they have jointly agreed to modify the briefing schedule to give  
8 Plaintiffs two-week extensions to file oppositions to Defendants' Motions to Dismiss and to give  
9 the Andreae Defendants a one week extension in which to file their reply.

10 Accordingly, the parties respectfully request that the deadlines for Plaintiffs' oppositions  
11 to the Motions to Dismiss be extended to September 9, 2011 for the Tobias Defendants' Motion  
12 and September 16, 2011 for the Andreae Defendants' Motion. In light of this extension, the  
13 Tobias Defendants' reply will be due on September 16, 2011, and the parties respectfully  
14 request that the Andreae Defendants be granted until September 30, 2011, to file their reply  
15 brief.

16 The extension of the briefing schedule will not affect the hearing dates on the Motions to  
17 Dismiss.

18 Respectfully submitted,

19  
20  
21 \_\_\_\_\_/s/  
22 David M. Given  
23 R. Scott Erlewine  
24 Robyn Callahan Davis  
25 PHILLIPS, ERLEWINE & GIVEN, LLP  
26 Attorneys for Plaintiffs

27 **IT IS SO STIPULATED.**  
28

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STIPULATION

The undersigned, as counsel for all parties in this action, hereby stipulate as follows:

(1) Plaintiffs may have an extension of time to and including September 9, 2011 in which to file a response to the Tobias Defendants' Motion to Dismiss and to and including September 16, 2011 in which to file a response to the Andreae Defendants' Motion to Dismiss. (2) The Tobias Defendants may have an extension of time to and including September 16, 2011 in which to file any reply and the Andreae Defendants may have an extension of time to and including September 30, 2011 in which to file any reply.

/s/

David M. Given  
R. Scott Erlewine  
Robyn Callahan Davis  
PHILLIPS, ERLEWINE & GIVEN, LLP  
Attorneys for Plaintiffs

/s/

Robert C. Buschel  
BUSCHEL GIBBONS, P.A.  
Attorneys for Tobias Defendants

/s/

Adam J. Hodkin  
PADULA HODKIN, PLLC  
Attorneys for Andreae Defendants

**IT IS SO ORDERED:**

Dated: August 30, 2011



Hon. Sandra Brown Armstrong  
United States District Judge