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 FEDERAL DEPOSIT INSURANCE CORPORATION
 8 AS RECEIVER FOR INNOVATIVE BANK
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION
 13

14 FEDERAL DEPOSIT INSURANCE)
 CORPORATION AS RECEIVER FOR)
 15 INNOVATIVE BANK,)

16 Plaintiff,

17 vs.

18 SEONG HOON HONG; DAVID CHIU; JIN)
 19 YOUNG KIM (AKA JIMMY KIM); JUNG)
 MIN MOK; YOUNG HO WON;)
 20 SANGCHOL AN; CHANG K. CHANG;)
 21 SUNG SANG CHO; HARRY MOOK)
 CHOI; YONG OH CHOI; TONY HUEY;)
 22 CHONG KIM; JUNG KIM; BHUPENDRA)
 PATEL,)

23 Defendants.
 24

CASE NO.: CV-12-2658 CW

25) **JOINT CASE MANAGEMENT**
 26) **CONFERENCE STATEMENT AND**
 27) **STIPULATION TO CONTINUE**
 28) **SEPTEMBER 17, 2014 CASE**
) **MANAGEMENT CONFERENCE TO**
) **OCTOBER 29, 2014; ORDER THEREON**

1 WHEREAS the parties to this action, and all parties in the related actions, reached a
2 settlement in principal of these matter following mediation with Judge Warren (Ret.) on
3 November 5, 2013;

4 WHEREAS the parties in all of the actions have agreed to the terms of the settlement
5 agreements in those actions;

6 WHEREAS one of the individual defendants to this action, Harry Choi, passed away during
7 the summer of 2014, resulting in a delay in obtaining an authorized signature on his behalf on the
8 settlement agreements which has recently been resolved;

9 WHEREAS more than half of the defendants have now executed the settlement agreements
10 and the parties anticipate that the settlement agreements will be fully executed in the near future;

11 WHEREAS, the settlement of these actions and matters will obviate the need for case
12 management conferences; and

13 WHEREAS, the parties greatly appreciate the Court's patience in this matter;

14 **IT IS HEREBY STIPULATED** by and between the parties through their designated counsel
15 that the case management conferences in the captioned actions currently scheduled for September 17,
16 2014, be continued to October 29, 2014, at 2:00 p.m., or other date suitable for the Court, and that the
17 parties must submit a Joint Case Management Statement or individual Case Management Statements
18 at least seven days before that date.

19
20 Dated: September 10, 2014

Respectfully submitted,

21 **NIXON PEABODY LLP**

22 By: /s/ Marcie K. Farano

23 Marcie K. Farano
24 Attorneys for Plaintiff
25 FEDERAL DEPOSIT INSURANCE
CORPORATION AS RECEIVER FOR
26 INNOVATIVE BANK
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1 The undersigned have given authority to Marcie K. Farano to file this Stipulation and [Proposed]
2 Order on their behalf.

3
4 Dated: September 10, 2014

KIM, SHAPIRO, PARK & LEE

5 By: /s/ Steve E. Shapiro
6 Steve Shapiro, Esq.
7 Attorney for Defendants
8 CHANG K. CHANG, JUNG MIN MOK,
9 YONG OH CHOI, DAVID CHIU, TONY
10 HUEY, JUNG KIM, BHUPENDRA
11 PATEL AND SANGCHOL AN

12
13 Dated: September 10, 2014

PARK & SYLVA

14 By: /s/ Daniel E. Park
15 Daniel Eal Young Park, Esq.
16 Attorney for Defendant
17 SEONG HOON HONG

18
19 Dated: September 10, 2014

NASSIRI & JUNG LLP

20 By: /s/ Kassra Powell Nassiri
21 Kassra Powell Nassiri, Esq.
22 Attorney for Defendant
23 YOUNG HO WON

24
25 Dated: September 10, 2014


LAW OFFICES OF ROBERT LANE

26 By: /s/ Robert Lane
27 Robert Lane, Esq.
28 Attorney for Defendant
HARRY MOOK CHOI

1 **ORDER**

2 Pursuant to Stipulation, it is ordered that the September 17, 2014 CMC in the above captioned
3 matter be continued to **November 5, 2014** at 2:00 P.M. The parties must submit a Joint Case
4 Management Statement or individual Case Management Statements at least seven days before that
5 date.

6
7
8 Dated: 9/11/2014


9 Hon. Claudia A. Wilken
United States District Court Judge

1 **PROOF OF SERVICE**

2 I, the undersigned, certify that I am employed in San Francisco, California; that I am over the
3 age of eighteen years and not a party to the within action; and that my business address is Nixon
4 Peabody LLP, One Embarcadero Center, 18th Floor, San Francisco, CA 94111.

5 The following document(s):

6 **JOINT CASE MANAGEMENT ORDER AND STIPULATION TO CONTINUE**
7 **SEPTEMBER 17, 2014 CASE MANAGEMENT CONFERENCE TO OCTOBER 29, 2014;**
8 **PROPOSED ORDER THEREON**

9 was served on the dates and on the parties stated below, through their attorneys of record, by placing
10 a true copy thereof in sealed envelopes addressed as shown below by the following means of service:

- 11 **(BY FACSIMILE)** by transmitting via facsimile the document(s) listed above to
the fax number(s) set forth below on this date before 5:00 p.m.
- 12 **(BY MAIL)** by placing the document(s) listed above in a sealed envelope with
13 postage thereon fully prepaid, the United States mail at San Francisco, California
addressed as set forth below.
- 14 **(BY OVERNIGHT COURIER)** I caused each such envelope to be given to an
15 overnight mail service at San Francisco, California, to be hand delivered to the
16 office of the addressee on the next business day
- 17 **(BY COURIER)** by placing the document(s) listed above in a sealed envelope
18 and affixing a pre-paid air bill, and causing the envelope to be delivered to an
agent for delivery.
- 19 **(BY E-MAIL)** by transmitting via e-mail or electronic transmission the
20 document(s) listed above to the person(s) at the e-mail address(es) set forth below.

21 Addressee(s)

21 John P. Lee, Esq.
 22 Steve Shapiro, Esq.
 23 Robert Dart, Esq.
 KIM SHAPIRO PARK & LEE
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 25 Email: jlee@kspllaw.com
sshapiro@kspllaw.com ; rdart@kspllaw.com
 26 *Counsel for Defendants Jung Min Mok, Yong Oh*
Choi, Chang K. Chang, David Chiu, Sangchol
 27 *An, Bhupendra Patel, Tony Huey and Jung Kim*

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9 *Counsel for Young Ho Won*

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7 Robert K. Lane, Esq.
8 3657 Grand Avenue
9 Oakland, CA 94610-2009
10 Email: r_k_lane@pacbell.net
11 *Counsel for Defendant Harry Mook Choi*

10 I declare under penalty of perjury that the foregoing is true and correct. Executed on
11 September 11, 2014, at San Francisco, California.

14
15 /s/ Donna L. Day
16 Donna L. Day

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