1 2 3 4 5 6 7	JEFFREY L. FILLERUP (SBN 120543) jfillerup@rinconlawllp.com CHARLES P. MAHER (SBN 124748) cmaher@rinconlawllp.com RINCON LAW LLP 268 Bush St. #3335 San Francisco, California 94104 Telephone: (415) 996-8199 Facsimile: (415) 680-1712 Attorneys for Plaintiff Marlene G. Weinstein, Chapter 7 Trustee	
8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRI	CT OF CALIFORNIA
10	OAKLAND DIVISION	
11	In re	Case 4:18-cv-01351-HSG
12	INDEPENDENT ADOPTION CENTER,	
13	Debtor.	
14	MARLENE G. WEINSTEIN, Trustee,	
15	Plaintiff,	STIPULATION TO CONTINUE THE BRIEFING SCHEDULE AND HEARING
16		DATE OF MOTIONS TO WITHDRAW
17	V.	THE REFERENCE, AND ORDER [Local Rule 7-12]
18	GREGORY S. KUHL, SUSAN SPARLING, ALEX KAPLAN, NANCY WORRELL, DAN	
19	WARD, WILLIAM KINNANE, CHRISTINE ZWERLING, MARCIA HODGES, and	Bankruptcy Case No. 17-40327 RLE Adversary Proceeding No. 17-04020 RLE
20	NAVIGATORS INSURANCE COMPANY, a New York corporation,	
21		
22	Defendants.	
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24	This Stipulation is entered into by and be	etween Plaintiff Marlene G. Weinstein, Chapter 7
25	Trustee of the estate of Independent Adoption	Center, by and through her counsel Jeffrey L.
26	Fillerup of Rincon Law LLP; Defendants Grego	ory S. Kuhl, Susan Sparling, Alex Kaplan, Nancy
27	Worrell, Dan Ward, William Kinnane, and Chi	istine Zwerling (the "Director Defendants"), by
28	and through their counsel Andrew P. Sclar of Ericksen Arbuthnot; and Defendant Marcia Hodges	

1	("Hodges"), by and through her counsel Joanne Madden of LeclairRyan, LLP, as follows:
2	WHEREAS, on February 3, 2017, Independent Adoption Center (the "Debtor") filed a
3	Chapter 7 bankruptcy petition, Bankruptcy Case No. 17-40327 RLE;
4	WHEREAS, Plaintiff Marlene G. Weinstein was appointed as the Chapter 7 Trustee of the
5	Debtor's estate (the "Trustee");
6	WHEREAS, on March 21, 2017, the Trustee filed an adversary proceeding, A.P. No. 17-
7	4020 RLE (the "Adversary Proceeding"), against certain former members of the Debtor's Board
8	of Directors, referred to as the Director Defendants, and a former officer of the Debtor, Marcia
9	Hodges;
10	WHEREAS, the Director Defendants filed a motion to withdraw the reference of the
11	Adversary Proceeding from the Bankruptcy Court to this Court, which is set for hearing in this
12	Court on June 14, 2018;
13	WHEREAS, Hodges also filed a motion to withdraw the reference of the Adversary
14	Proceeding from the Bankruptcy Court to this Court, which is set for hearing in this Court on July
15	5, 2018;
16	WHEREAS, the Trustee plans to oppose the two motions to withdraw the reference;
17	WHEREAS, the Trustee and the Director Defendants/Hodges participated in an all-day
18	mediation at Judicate West on March 21, 2018, and while the Adversary Proceeding did not
19	settle at that time, the parties agreed to continue a second session of the mediation on May 9,
20	2018;
21	WHEREAS, the parties have stipulated to the continuance of certain pre-trial dates in the
22	Adversary Proceeding based on the parties' interest in continuing the mediation process;
23	WHEREAS, the parties are interested in continuing the dates for the briefing and hearing
24	of the Director Defendants' and Hodges' motions to withdraw the reference, until after the
25	second mediation session on May 9, 2018; and
26	WHEREAS, the parties enter into this Stipulation pursuant to Local Rule 7-12 and seek
27	an order approving the continuation of the dates for briefing and hearing of the motions to
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	withdraw the reference, as follows:

1	1. The hearing date of the Director Defendants' motion to withdraw the reference,	
2	which is now set for June 14, 2018 at 2:00 p.m. is continued to July 5, 2018 at 2:00 p.m. in	
3	Courtroom 2, 4 th Floor, 1301 Clay Street, Oakland, California.	
4	2. The hearing date of Hodges' motion to withdraw the reference will be set at the	
5	same date and time, namely, July 5, 2018 at 2:00 p.m. in Courtroom 2, 4 th Floor, 1301 Clay	
6	Street, Oakland, California.	
7	3. The date for the Trustee's filing of an opposition to both motions to withdraw the	
8	reference is continued to May 21, 2018.	
9	4. The Director Defendants' reply brief in support of the motion to withdraw the	
10	reference is continued to May 31, 2018.	
11	5. Hodges' reply brief in support of her motion to withdraw the reference in	
12	continued to May 31, 2018.	
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16	DATED: March 30, 2018 RINCON LAW LLP	
17	By: /s/Jeffrey L. Fillerup	
18	Jeffrey L. Fillerup	
19	Attorneys for Plaintiff Marlene G. Weinstein, Chapter 7 Trustee	
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22	DATED: March 30, 2018 ERCIKSEN ARBUTHNOT	
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24	By: <u>/s/Andrew P. Sclar</u> Andrew P. Sclar	
25	Attorneys for Defendants Gregory S. Kuhl, Susan Sparling, Alex Kaplan, Nancy Worrell, Dan Ward,	
26	William Kinnane, and Christine Zwerling	
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2	DATED: March 20, 2018 LECLAIDDVAN LLD
3	DATED: March 30, 2018 LECLAIRRYAN, LLP
4	By: /s/Joanne Madden
5	Joanne Madden
6	Attorneys for Defendant Marcia Hodges
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10	Based on the foregoing Stipulation, and for good cause appearing, IT IS HEREBY
11	ORDERED that the foregoing stipulation is approved and is ordered.
12	OKDERED that the foregoing supulation is approved and is ordered.
13	Datadi Marah 20, 2018
14	Dated: March 30, 2018 By: Haywood S. Jull -
15	Hon. Haywood S. Gilliam, Jr. United States District Judge
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