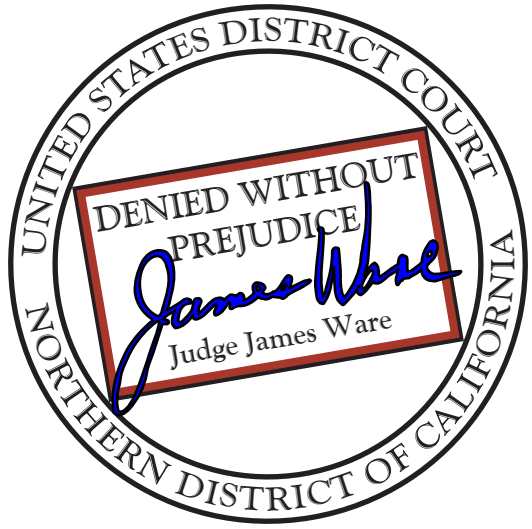


1 JOSEPH H. PARK (State Bar No. 175064)
 2 FULBRIGHT & JAWORSKI L.L.P.
 3 555 South Flower St., 41st Floor
 4 Los Angeles, California 90071
 Telephone: (213) 892-9200
 Facsimile: (213) 892-9494
 Email: jpark@fulbright.com

5 Attorneys for Defendants
 6 BAYERISCHE HYPO- UND VEREINSBANK AG
 and HVB U.S. FINANCE INC.

7 WILLIAM M. LUKENS (State Bar No. 37196)
 8 JENNIFER L. JONAK (State Bar No. 191323)
 9 LUKENS LAW GROUP
 10 One Maritime Plaza, Suite 1600
 San Francisco, California 94111
 Telephone: (415) 433-3000
 Facsimile: (415) 781-1034
 11 Email: wluken@lukenslaw.com
 Email: jjonak@lukenslaw.com

12 Attorneys for Plaintiff JOHN C. REZNER



14 IN THE UNITED STATES DISTRICT COURT
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 JOHN C. REZNER, an individual,
 17 Plaintiff,

18 v.

19 BAYERISCHE HYPO- UND
 20 VEREINSBANK AG, a corporation; HVB
 21 STRUCTURED FINANCE, INC., a
 corporation; DOMENICK MARIO
 22 DEGIORGIO, an individual; RANDALL S.
 BICKHAM, an individual; SKYLINE
 23 ADVISORY SERVICES, LLC, a limited
 liability corporation; and DOES ONE
 THROUGH THIRTY, inclusive,
 24 Defendants.

16 Civil Action No. C 06 2064 JW
 17 ORDER DENYING STIPULATION FOR
 18 MODIFICATION OF CASE SCHEDULE

22 Preliminary Pretrial Conference
 23 Date: December 15, 2008
 24 Time: 11:00 a.m.
 25 Ctrm: 8

1 This Stipulation is entered into by and between Defendants Bayerische Hypo- und
2 Vereinsbank AG and HVB U.S. Finance Inc. (f/k/a HVB Structured Finance, Inc.)
3 (collectively "HVB") and Plaintiff John C. Rezner ("Plaintiff"), through their respective
4 counsel of record.

5 A. On August 28, 2008, the Court ordered the following pretrial schedule
6 (Dckt. #142):

<u>Deadline/Event</u>	<u>Date</u>
Close of All Discovery	January 16, 2009
Last Date for Hearing Dispositive Motions	February 23, 2009
Preliminary Pretrial Conference Statements	December 5, 2008
Preliminary Pretrial Conference at 11 a.m.	December 15, 2008

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12 B. The parties have met and conferred regarding the additional discovery
13 necessary to prepare this case for trial and the need for additional time to complete such
14 discovery. The parties have also met and conferred regarding the possibility of
15 mediating this case and have scheduled a mediation for December 4, 2008.

16 C. Based on the parties' discussions – including the scheduled mediation and
17 the additional discovery necessary to prepare this case for trial – the parties seek a
18 modification of the current pretrial schedule to the following:

<u>Deadline/Event</u>	<u>Date</u>
Close of All Discovery	March 31, 2009
Last Date for Hearing Dispositive Motions	April 30, 2009
Preliminary Pretrial Conference Statements Due	February 16, 2009
Preliminary Pretrial Conference at 11 a.m.	February 23, 2009 or March 2, 2009

1 Dated: November 12, 2008

Kathryn Keneally
Joseph H. Park
India DeCarmine
FULBRIGHT & JAWORSKI L.L.P.

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/S/ Joseph H. Park

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Joseph H. Park
Attorneys for Defendants BAYERISCHE
HYPO- UND VEREINSBANK AG and HVB
U.S. FINANCE INC.

6

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8 Dated: November 12, 2008

William M. Lukens
Jennifer L. Jonak
LUKENS LAW GROUP

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/S/ Jennifer L. Jonak

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Jennifer L. Jonak
Attorneys for Plaintiff JOHN C. REZNER

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~~PROPOSED ORDER~~

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15 Upon consideration, the Court DENIES the parties' Stipulation without prejudice to being
16 renewed. Since the parties are scheduled for mediation on December 4, 2008, the parties can
17 update the Court on their efforts in their Joint Preliminary Pretrial Statement which is due on
18 **December 5, 2008**. If mediation is fruitful and the parties wish to focus their efforts on
19 settlement, the Court will then entertain a Stipulation to extend the current case schedule.

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26 The Preliminary Pretrial Conference currently set for **December 15, 2008** shall remain on
27 calendar. For good cause shown, it may be continued to accommodate the parties' settlement
28 efforts.


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Dated: November 20, 2008



HON. JAMES WARE
United States District Judge
Northern District of California

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