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Attorneys for Defendants



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

JOHN C. REZNER, an individual,

Plaintiff,

v.

BAYERISCHE HYPO-UND
VEREINSBANK AG, a corporation, et al.;

Defendants.

Case No. C-06-2064-JW RS

**STIPULATION TO RESCHEDULE
HEARING ON DEFENDANTS'
MOTION TO DISMISS,
AND PROPOSED ORDER**

Date: April 18, 2011
Time: 9:00am
Courtroom: 8, 4th Floor
Judge: Hon. James Ware

WHEREAS, in its February 23, 2011 Order in the above-captioned action, the Court set the hearing date on Defendants' Motion To Dismiss Pursuant to the Ninth Circuit's Opinion ("Defendants' Motion") for April 18, 2011 at 9:00 a.m.;

WHEREAS, Defendants' counsel is unavailable to appear on April 18, 2011, and the next available date on which both parties are available is May 23, 2011;

Stipulation to Reschedule Hearing On Defendants' Motion To Dismiss; Case No. 06-cv-2064

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WHEREAS, on March 31, 2011, counsel for both parties conferred with the Court's clerk, who advised that May 23, 2011 may be available on the Court's calendar for a hearing on Defendants' Motion; THEREFORE,

The parties hereby stipulate and agree to a May 23, 2011 hearing date for Defendants' Motion, and respectfully request that the Court enter the attached order rescheduling the hearing date for May 23, 2011, subject to the Court's schedule and availability.

SO STIPULATED AND AGREED.

Dated: April 4, 2011

JONAK | PUGH

By: /s/ Jennifer L. Jonak
Jennifer L. Jonak
Louis H. Pugh
Attorneys for Plaintiff

Dated: April 4, 2011

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

By: /s/ Ronald R. Rossi
Mark P. Ressler
Ronald R. Rossi
Michael A. Hanin
Attorneys for Defendants

IT IS SO ORDERED

Due to the Court's own unavailability, the Court cannot accommodate the parties' proposed date.

Dated: April 5, 2011



JAMES WARE, United States District Chief Judge