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5 Attorney for Plaintiff

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 VICTORIA RYAN,

12 Plaintiff,

13 v.

14 EDITIONS LIMITED WEST, INC., et al.

15 Defendants.

No. C 06-04812 PVT
 ORDER DENYING

~~STIPULATION AND PROPOSED ORDER
 TO CONTINUE PRE-TRIAL CONFERENCE
 AND TRIAL~~

ORDER RESETTING PRE-TRIAL
 CONFERENCE

16
 17 On August 15, 2011, the parties stipulated at the request of Defendant's counsel to continue the
 18 discovery and dispositive motions cut-offs, pre-trial conference, and trial date. (ECF No. 194.) On
 19 August 19 the Court entered an order on the stipulation, setting trial for January 9, 2012.

20 Plaintiff's counsel is part of a team that is preparing for trial set to begin on January 17 in a
 21 patent license dispute. Because of the trial in this case, Plaintiff's counsel had declined the opportunity
 22 to participate in the patent trial itself. Nonetheless, Plaintiff's counsel is currently finalizing a fact-
 23 intensive and legally-complex opposition to summary judgment due on December 2 in the patent case,
 24 and has other pre-trial responsibilities that cannot cost-effectively be shifted to other lawyers on the
 25 team.

26 Under the current schedule, the first round of pretrial submissions in this case are due December
 27 6. Plaintiff's counsel reached out a couple of weeks ago to arrange a conference to work on the joint
 28 pretrial statement, but the parties have not yet been successful in coordinating that conference.

1 Defendant's counsel has a trademark infringement case that is going to trial in Miami, Florida,
2 with a pre-trial conference on March 12 and scheduled to commence on March 26.

3 With reference to the foregoing,

4 IT IS STIPULATED by the undersigned counsel for the parties that:

- 5 1. The Final Pre-Trial Conference is continued to April 3, 2012.
- 6 2. Trial is continued to May 7, 2012.

7 DATED: November 30, 2011

8
9 /s/ Richard A. De Liberty
10 Richard A. De Liberty
11 Attorney for Plaintiff

12 DATED: November 30, 2011

13 ISAACMAN, KAUFMAN & PAINTER, P.C.

14
15 /s per certification/
16 Michael Painter
17 Attorneys for Defendant
18 Editions Limited West, Inc.

19 **ORDER**

20 Pursuant to the foregoing Stipulation,

21 IT IS SO ORDERED.

22 DATED:

23 _____
24 United States Magistrate Judge

25 The request for a continuance of the final pre-trial conference and
26 trial is DENIED. The final pre-trial conference is reset to
27 December 16, 2011 at 2PM. The trial is scheduled to begin on
28 January 9, 2012 at 9:30AM. This case is over five years old. It
needs to be tried or otherwise resolved.

Dated: December 1, 2011

Paul S. Amdur

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SIGNATURE CERTIFICATION

I attest that Michael A. Painter of Isaacman, Kaufman & Painter, P.C., attorneys for the defendants, provided me his concurrence in the filing of this stipulation.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: November 30, 2011

/s/ Richard A. De Liberty
Richard A. De Liberty