

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
San Jose

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5 Attorneys for Plaintiffs  
STEVE TRACHSEL, an individual, SUN CITY  
6 TOWERS, LLC, a California corporation,  
THOMAS CIRRITO, an individual,  
7 ATOCHA LAND, LLC, a Delaware limited liability  
company, MICHAEL CIRRITO, an individual,  
8 CIRRITO HOLDINGS, LLC, a Delaware limited  
liability company, INDIVIDUALLY, AND ON  
9 BEHALF OF ALL OTHERS SIMILARLY  
SITUATED, AND ON BEHALF OF THE  
10 GENERAL PUBLIC

**\*E-FILED - 2/12/09\***

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

15 STEVE TRACHSEL, an individual, SUN  
CITY TOWERS, LLC, a California  
16 corporation, THOMAS CIRRITO, an  
individual, ATOCHA LAND, LLC, a  
17 Delaware limited liability company,  
MICHAEL CIRRITO, an individual,  
18 CIRRITO HOLDINGS, LLC, a Delaware  
limited liability company,  
19 INDIVIDUALLY, AND ON BEHALF OF  
ALL OTHERS SIMILARLY SITUATED,  
20 AND ON BEHALF OF THE GENERAL  
PUBLIC,

CASE NO. C08 02248RMW

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND MEDIATION  
DEADLINE**

21 Plaintiff,

22 v.

23 RONALD BUCHHOLZ, CHARICE  
24 FISCHER, DONALD ZELEZNAK, RDB  
DEVELOPMENT, LLC, a Nevada limited  
25 liability company, JONATHON VENTO,  
SOLOMON CAPITAL, LLC, a Nevada  
26 limited liability company, Z-LOFT, LLC,  
an Arizona limited liability company,  
27 KELLER WILLIAMS REALTY dba THE  
ZELEZNAK GROUP, an Arizona  
28 Corporation, GRACE CAPITAL, LLC dba

1 GRACE COMMUNITIES, an Arizona  
2 limited liability company, KELLER  
3 WILLIAMS REALTY, INC., a Texas  
4 corporation, and DOES 1-50, inclusive,  
5  
6 Defendants.

7 Plaintiffs STEVE TRACHSEL, SUN CITY TOWERS, LLC, THOMAS CIRRITO,  
8 ATOCHA LAND, LLC, MICHAEL CIRRITO, CIRRITO HOLDINGS, LLC (“Plaintiffs”) and  
9 Defendants SOLOMON CAPITAL, RONALD BUCHHOLZ, CHARICE FISCHER, DONALD  
10 ZELEZNAK, RDB DEVELOPMENT, LLC, (“Solomon Defendants”), and JONATHON  
11 VENTO, SOLOMON CAPITAL, LLC, Z-LOFT, LLC, KELLER WILLIAMS REALTY dba  
12 THE ZELEZNAK GROUP, GRACE CAPITAL, LLC dba GRACE COMMUNITIES, (“Grace  
13 Defendants”), through their respective, undersigned counsel, stipulate and request a continuance  
14 of the last date to complete mediation.

15 WHEREAS an Order has not issued on the pending Motion to Dismiss the Grace  
16 Defendants;

17 WHEREAS the pre-trial schedule and trial date have been set in this matter;

18 WHEREAS the last date to complete mediation is February 4, 2009;

19 WHEREAS there is presently pending an Application for Right to Attach Order  
20 (“RTAO”) to be heard on February 13, 2009;

21 WHEREAS the parties have met and conferred and have agreed that at this time it is most  
22 economical to postpone the last date to complete mediation for six months to July 17, 2009;

23 WHEREAS the parties have met and conferred and have agreed to Gilda Turitz of  
24 Sideman & Bancroft as a mediator; and

25 The parties in the above-captioned matter, by and through their attorneys of record, hereby  
26 stipulate to continue the last date to complete mediation from February 4, 2009 to July 17, 2009.

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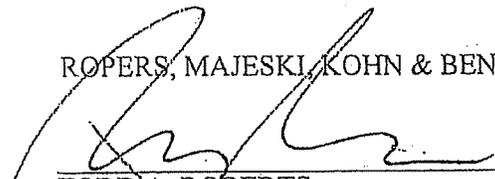
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IT SO STIPULATED.

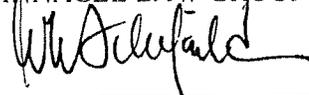
Dated: February 5, 2009

ROPER, MAJESKI, KOHN & BENTLEY

  
TODD A. ROBERTS  
JESSHILL E. LOVE  
Attorneys for Plaintiffs  
THOMAS CIRRITO and ATOCHA LAND,  
LLC

Dated: February 5, 2009

PINNACLE LAW GROUP

  
ANDREW A. AUGUST  
WILLIAM W. SCHOFIELD  
Attorneys for Defendants  
RNC HOLDINGS, LLC; RONALD  
BUCHHOLZ; and CHARICE FISCHER

Dated: February \_\_\_\_\_, 2009

GREENE, CHAUVEL, DESCALSO  
& MINOLETTI

MICHAEL G. DESCALSO  
Attorneys for Defendants  
JONATHON VENTO, SOLOMON CAPITAL,  
LLC, Z-LOFT, LLC, KELLER WILLIAMS  
REALTY dba THE ZELEZNAK GROUP,  
GRACE CAPITAL, LLC dba GRACE  
COMMUNITIES

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2009

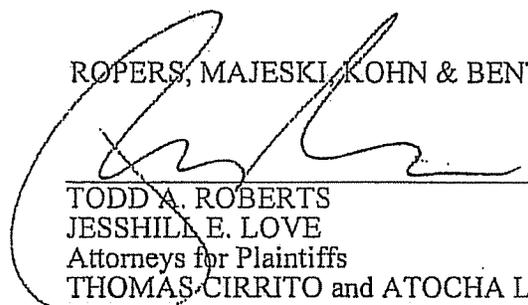
HONORABLE RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE

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IT SO STIPULATED.

Dated: February 5, 2009

ROPER, MAJESKI, KOHN & BENTLEY



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TODD A. ROBERTS  
JESSHILL E. LOVE  
Attorneys for Plaintiffs  
THOMAS CIRRITO and ATOCHA LAND,  
LLC

Dated: February \_\_\_\_\_, 2009

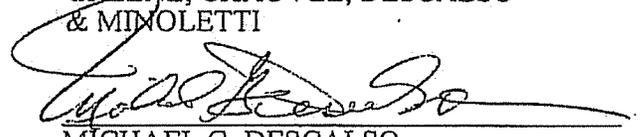
PINNACLE LAW GROUP

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ANDREW A. AUGUST  
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RNC HOLDINGS, LLC; RONALD  
BUCHHOLZ; and CHARICE FISCHER

Dated: February 5, 2009

GREENE, CHAUVEL, DESCALSO  
& MINOLETTI



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MICHAEL G. DESCALSO  
Attorneys for Defendants  
JONATHON VENTO, SOLOMON CAPITAL,  
LLC, Z-LOFT, LLC, KELLER WILLIAMS  
REALTY dba THE ZELEZNAK GROUP,  
GRACE CAPITAL, LLC dba GRACE  
COMMUNITIES

IT IS SO ORDERED.

Dated: 2/12, 2009



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HONORABLE RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE