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 7 of Nevada, Inc., RNC Holdings, LLC,  
 RDB Development, LLC, EENI-Patriot  
 8 Courtyards, LLC, Community Real Estate,  
 LLC, The District, LLC, Phoenix Valley  
 9 Development, LLC, EENI-Durango  
 Trails, LLC, EEI-Ray Ranch, LLC,  
 10 and EENI-Paseo Village, LLC

**\*E-FILED - 8/13/09\***

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

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 16  
 17 VISIONQUEST CCH, LLC, also known as  
 VISIONQUEST, LLC; GATEWAY COMMUNITY  
 18 CHURCH, also known as CITY HARVEST  
 CHURCH,

**Case No. C08-3410 RMW**

**STIPULATION AND []  
ORDER REMOVING MATTER  
FROM MEDIATION CALENDAR**

19 Plaintiffs,

20 vs.

21 RONALD BUCHHOLZ, et al.,

22 Defendants.

23  
24 **STIPULATION REMOVING MATTER FROM MEDIATION CALENDAR**

25 WHEREAS, the parties on December 4, 2008 agreed to participate in Mediation as the ADR  
 26 process under ADR L.R. 6 (*see* Doc. # 33: Stipulation and Order Selecting ADR Process, Dec. 4,  
 27 2008);

1 WHEREAS, the Court at the Case Management Conference of this matter ordered the  
2 parties to participate in a Settlement Conference before Magistrate Judge Howard Lloyd at the  
3 Magistrate's earliest available date (*see* Doc. #45: Case Management Order, Mar. 18, 2009, ¶3);

4 WHEREAS, Magistrate Judge Lloyd ordered the Settlement Conference to be held on May  
5 7, 2009 (*see* Doc. # 47: Notice of Settlement Conference and Settlement Conference Order, Apr. 8,  
6 2009);

7 WHEREAS, the parties appeared and participated in a Settlement Conference before  
8 Magistrate Judge Lloyd on May 7, 2009 but were unsuccessful in resolving the matter (*see* Doc.  
9 #49: Civil Minute Order, May 7, 2009);

10 WHEREAS the parties believe that further ADR in the form of Settlement Conference or  
11 Mediation would be fruitless and a waste of judicial resources;

12 **IT IS HEREBY STIPULATED** between the parties, by and through their attorneys, that  
13 the Stipulation selecting Mediation as ADR process be withdrawn and that the matter be removed  
14 from the Mediation Calendar.

15 Dated: May 28, 2009.

CANNISTRACI LAW FIRM

16  
17 By: /s/ Sharonrose Cannistraci  
Sharonrose Cannistraci  
18 Attorney for Plaintiffs

19 Dated: May 28, 2009.


PINNACLE LAW GROUP, LLP

20 By: : /s/ William W. Schofield  
William W. Schofield  
21 Attorneys for Defendants

22  
23 **ORDER**

24 It is ordered that the order referring the matter to the court's mediation program be vacated.

25  
26 Dated: 8/12, 2009.

27 By:   
Hon. Ronald M. Whyte  
United States District Judge