

1 JOSEPH RUSSONIELLO (CSBN 44332)
 United States Attorney
 2 THOMAS MOORE (ASBN 4305-O78T)
 Assistant United States Attorney
 3 Chief, Tax Division
 CYNTHIA STIER (DCBN 423256)
 4 Assistant United States Attorney
 9th Floor Federal Building
 5 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 6 Telephone: (415) 436-7000
 7 Attorneys for the United States of America

E-Filed 03/02/2010

8
 9
 10 **IN THE UNITED STATES DISTRICT COURT FOR THE**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13 **UNITED STATES OF AMERICA,**)
)
 14 **Plaintiff,**)
)
 15 **v.**)
)
 16 **JOHN and NANCY BENNETTS, et al.,**)
)
 17 **Defendants.**)
)
 18)
 19)
 20)

No. C 08-03413 RS

15 **STIPULATION TO CONTINUE**
HEARING ON MOTION
FOR SUMMARY JUDGMENT
and ~~proposed~~ ORDER

Date: April 1, 2010
Time: 1:30
Place: San Francisco
Courtroom 3, 17th Floor

21 The parties hereby stipulate and agree, subject to the Court's approval, to the following:

22 The parties to this action, by and through their counsel, respectfully request that the Court
 23 continue the hearing on the Motion for Summary Judgment filed by the United States, currently
 24 scheduled for March 11, 2010, at 1:30 p.m. to April 1, 2010 at 1:30 p.m., or such other date as
 25 the Court orders.

26 Defendants, John and Nancy Bennets, request the continuance to allow additional time to
 27 effectuate the terms of a possible settlement.

28 IT IS SO STIPULATED:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully submitted,
JOSEPH P. RUSSONIELLO

United States Attorney

Dated: March 1, 2010:

/s/ Cynthia Stier
CYNTHIA STIER
Assistant U.S. Attorney
Attorneys for the United States of
America

Dated: March 1, 2010:

/s/
WILLIAM A. BRANDWEIN
Attorney for Defendants John and Nancy
Bennetts

EDMUND G. BROWN
Attorney General of the State of California

JOYCE HEE
Supervising Deputy Attorney General

Dated March 1, 2010:

/s/
MARGUERITE STRICKLIN
Deputy Attorney General

Attorneys for Defendant
CALIFORNIA FRANCHISE TAX BOARD

ORDER

The hearing on the Motion for Summary Judgment filed by the United States, currently scheduled for March 11, 2010, at 1:30 p.m. is rescheduled to April 1, 2010 at 1:30 p.m. In addition the Court orders:

Dated: 03/01/2010



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

Stip. To Cont. Hrg on Mot
for Summ. Jmt and [proposed]
Order, US v. Bennetts, et al.,
Case No. C 08-03413 RS