

1 DOUGLAS W. DAL CIELO (SBN 157109)
 BRIAN M. AFFRONTI (SBN 227072)
 2 ROPERS, MAJESKI, KOHN & BENTLEY
 50 West San Fernando Street, Suite 1400
 3 San Jose, California 95113
 Telephone: (408) 287-6262
 4 Facsimile: (408) 918-4501
 Email: ddalcielo@ropers.com
 5 Email: baffronti@ropers.com

6 Attorneys for Plaintiffs
 FIBERTREK, INC.; LAWRENCE P. WAGNER;
 7 and JOHN G. PEERY

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

12 FIBERTREK, INC., a Nevada corporation;
 LAWRENCE P. WAGNER, an individual;
 13 and JOHN G. PEERY, an individual,

14 Plaintiffs,

15 v.

16 PREFERRED CORPORATE SERVICES,
 INC., a Colorado Corporation; DOUGLAS
 17 GREGG, an individual; TDG, LLC, a
 Colorado Limited Liability Company;
 18 NEIL SMITH, an individual and DOES 1-
 100, inclusive,

19 Defendants.
 20

CASE NO.: 5:08-CV-03415 JW

21
 22 **STIPULATION AND [PROPOSED]**
ORDER CONTINUING DEADLINE FOR
INITIAL DISCLOSURES

23 Plaintiff John Peery suffered a heart attack on January 4, 2009 and remained hospitalized
 24 as of January 7, 2009. Mr. Peery was involved in preparing information and gathering
 25 documentation for Plaintiffs' initial disclosures prior to his heart attack and resulting
 26 hospitalization. This has caused delays in preparing Plaintiffs initial disclosures. The parties had
 27 previously agreed, and this Court ordered, for initial disclosures to be served no later than January
 28 9, 2009.

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

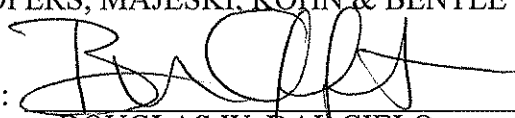
In light of Mr. Peery's medical condition and the resulting delays for Plaintiffs in preparing their initial disclosures, the Parties hereby stipulate to a one-week extension for service of initial disclosures. Initial disclosures must now be served no later than January 16, 2009.

IT IS SO STIPULATED.

Dated: January 8, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

By:



DOUGLAS W. DAL CIELO
BRIAN M. AFFRUNTI
Attorneys for Plaintiffs

Dated: _____

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

By:

CLAUDIA C. BOHORQUEZ
Attorney for Defendants
NEIL SMITH and TDG, LLC.

Dated: _____

By:

DOUGLAS GREGG
Defendant In Pro Per

ORDER

Pursuant to the Stipulation above, Initial Disclosures pursuant to Fed.R.Civ.P. rule 26(a)(1) must be served no later than January 16, 2009.

IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE

1 In light of Mr. Peery's medical condition and the resulting delays for Plaintiffs in
2 preparing their initial disclosures, the Parties hereby stipulate to a one-week extension for service
3 of initial disclosures. Initial disclosures must now be served no later than January 16, 2009.

4 IT IS SO STIPULATED.

6 Dated: January 8, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

8 By: _____
DOUGLAS W. DAL CIELO
BRIAN M. AFFRONTI
Attorneys for Plaintiffs

11 Dated: _____

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

14 By: _____
CLAUDIA C. BOHORQUEZ
Attorney for Defendants
NEIL SMITH and TDG, LLC.

18 Dated: 01/08/09

18 By: *Douglas W. Dal Cielo*
DOUGLAS GREGG
Defendant In Pro Per

22 ORDER

23 Pursuant to the Stipulation above, Initial Disclosures pursuant to Fed.R.Civ.P. rule
24 26(a)(1) must be served no later than January 16, 2009.

25 IT IS SO ORDERED.

27 Dated: _____

UNITED STATES DISTRICT JUDGE

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Jose

Ropers Majeski Kohn & Bentley

1 In light of Mr. Peery's medical condition and the resulting delays for Plaintiffs in
2 preparing their initial disclosures, the Parties hereby stipulate to a one-week extension for service
3 of initial disclosures. Initial disclosures must now be served no later than January 16, 2009.

4 IT IS SO STIPULATED.

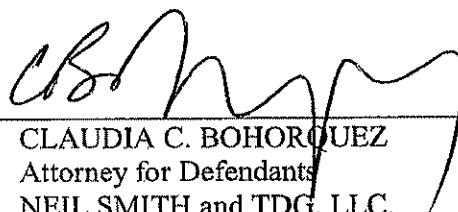
6 Dated: January 8, 2009

ROPERS, MAJESKI, KOHN & BENTLEY

7
8 By: _____
9 DOUGLAS W. DAL CIELO
10 BRIAN M. AFFRONTI
11 Attorneys for Plaintiffs

12 Dated: 1/8/09

LAW OFFICES OF CLAUDIA C. BOHORQUEZ

13
14 By: 
15 CLAUDIA C. BOHORQUEZ
16 Attorney for Defendants
17 NEIL SMITH and TDG, LLC.

18 Dated: _____


19 By: _____
20 DOUGLAS GREGG
21 Defendant In Pro Per

22 **ORDER**

23 Pursuant to the Stipulation above, Initial Disclosures pursuant to Fed.R.Civ.P. rule
24 26(a)(1) must be served no later than January 16, 2009.

25 IT IS SO ORDERED.

26 Dated: Jan 12, 2009

27 
28 UNITED STATES DISTRICT JUDGE