

Ropers Majeski Kohn & Bentley
A Professional Corporation
San Jose

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5 Attorneys for Plaintiffs
THOMAS CIRRITO, an individual, and
6 ATOCHA LAND, LLC, a Delaware limited
liability company

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

10 THOMAS CIRRITO, an individual; and
11 ATOCHA LAND, LLC, a Delaware limited
liability company,

CASE NO: C08 03476RMW

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

12 Plaintiffs,

13 v.

14 RNC HOLDINGS, LLC, a Nevada limited
15 liability company; RONALD BUCHHOLZ,
an individual; CHARICE FISCHER (also
16 known as CHARICE BUCHHOLZ), an
individual; and DOES 1 through 50,
17 inclusive,

18 Defendants.

19
20 Plaintiffs THOMAS CIRRITO and ATOCHA LAND, LLC ("Plaintiffs") and Defendants
21 RNC HOLDINGS, LLC, RONALD BUCHHOLZ, and CHARICE FISCHER (also known as
22 CHARICE BUCHHOLZ) ("Defendants"), through their respective, undersigned counsel,
23 stipulate and request a continuance of the last date to complete mediation.

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

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

26 WHEREAS there is presently pending an Application for Right to Attach Order
27 ("RTAO") in the related matter of Trachsel v. Solomon Capital, et al (Case No. C08 02248RMW)
28 which is set to be heard on February 13, 2009;

RC1/5246753.1/1C3

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

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

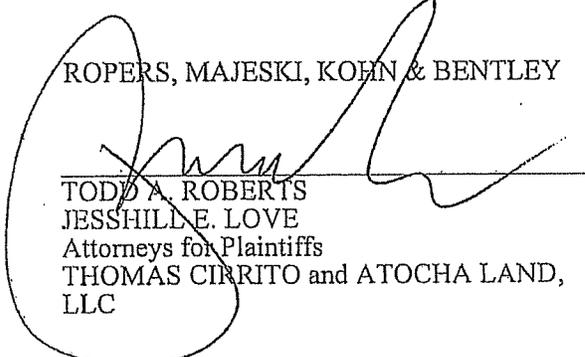
WHEREAS the parties have met and conferred and have agreed to Patrick Robbins of Shearman & Sterling as a mediator; and

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

IT SO STIPULATED.

Dated: February 4, 2009

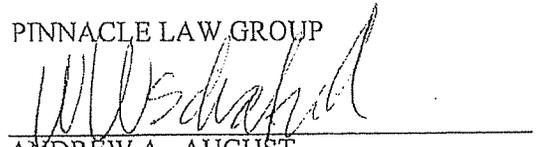
ROPER, MAJESKI, KOHN & BENTLEY



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

Dated: February 4, 2009

PINNACLE LAW GROUP



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

IT IS SO ORDERED.

Dated: 2/12, 2009



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