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13 **Attorneys for Plaintiffs**

14 **UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 **YU-SZE YEN, et. al,**
 18 **Plaintiffs,**

19 **v.**

20 **RONALD BUCHHOLZ, et. al.,**
 21 **Defendants.**

CASE NUMBER: C-08-03535 RMW

STIPULATION TO CONTINUE MOTIONS (Motion for Summary Judgment and Motion for Sanctions) AND ORDER THEREON

Judge: Hon. Ronald M. Whyte
Courtroom: 6 (4th Floor)

Complaint Filed: July 23, 2008

Trial Date: None

22 By and through their respective attorneys, the parties listed below (Plaintiffs and Grace
 23 Defendants) hereby stipulate that the Motion for Summary Judgment and Motion for Sanctions presently
 24 set for hearing on March 25, 2001 be continued to May 13, 2011 at 9:00 a.m. The parties to this
 25 Stipulation (and their counsel) are:

26 **Plaintiffs: By and through attorney Steven R. Levy;**

27 **Defendants: Jonathon Vento, Grace Capital, LLC, dba Grace Communities, Donald Zeleznak,**
 28 **Z-Loft, LLC, Zeleznak Property Management, LLC dba Keller Williams Realty,**
Z-Lofts, Zeltor, LLC, and the Vento Family Trust (Grace Defendants), by and
through their attorney, Kathleen E. Rapp.

1 Other defendants having appeared in the case are not part of this stipulation because they are not
2 parties to the pending motions.

3 The Grace Defendants have previously filed a Motion for Summary Judgment and a Motion for
4 Sanctions, both presently set for hearing before the Hon. Ronald M. Whyte on March 25, 2011 at 9:00
5 a.m.

6 The parties have agreed to continue both motions to May 13, 2011, at 9:00 a.m., to be heard by
7 the Hon. Ronald M. Whyte, availability of that date and time having confirmed with the Clerk.

8 Accordingly and by signatures below, the Plaintiffs and the Grace Defendants stipulate to and
9 request the Court to enter its Order whereby, the Motion for Summary Judgment and the Motion for
10 Sanctions be continued for hearing as follows:

11 Date: May 13, 2011

12 Time: 9:00 a.m.

13 Judge: Hon. Ronald M. Whyte.

14 Courtroom: 6 (4th Floor).

15 The attorneys for the parties to this Stipulation agree that this Stipulation may be executed in
16 multiple counterparts and by facsimile or other equivalent electronic transmission signature(s) and, for
17 expediency, Kathleen E. Rapp (attorney for the Grace Defendants) has authorized Steven Levy to submit
18 this stipulation and proposed order indicating her electronic signature and to sign the original on her
19 behalf. By submission of this stipulation and proposed order, Steven Levy warrants receipt of the
20 aforementioned authorization from Kathleen Rapp.

21
22 Dated: February 16, 2011 /s/ _____

23 Steven R. Levy, Attorney for Plaintiffs

24
25 Dated: February 16, 2011 /s/ _____

26 Kathleen E. Rapp (attorney for the Grace Defendants)

1 **[] ORDER**

2
3 The parties having so stipulated,

4 IT IS HEREBY ORDERED that the Motion for Summary Judgment and Motion for Sanctions
5 previously filed by the Grace Defendants and presently set for hearing on March 25, 2011, are continued
6 to:

7 Date: May 13, 2011

8 Time: 9:00 a.m.

9 Judge: Hon. Ronald M. Whyte.

10 Courtroom: 6 (4th Floor).

11
12 Dated: 3/2/11

Ronald M. Whyte

13 Hon. Ronald M. Whyte

14 Senior District Judge of the U. S. District Court, for the
15 Northern District of California