1	Eugene Ashley, Bar No. 171885		
2	eashley@hopkinscarley.com HOPKINS & CARLEY		
3	A Law Corporation The Letitia Building		
4	70 S First Street San Jose, CA 95113-2406		
5	mailing address:		
6	P.O. Box 1469 San Jose, CA 95109-1469 Telephone: (408) 286-9800		
7	Telephone: (408) 286-9800 Facsimile: (408) 998-4790	<u>*E-FILED - 4/21/10*</u>	
8 9	Attorneys for Defendants GLEN D. KUNOFSKY and DAIZY GOMEZ		
10	UNITED STATES DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA		
12	SAN JOSE DIVISION		
13	ECLECTIC PROPERTIES EAST LLC, a	CASE NO. C09-00511 RMW	
14	California Limited Liability Company, et al.,.,		
15	Plaintiffs,	STIPULATION EXTENDING DEADLINE FOR DEFENDANTS KUNOFSKY AND	
16	v.	GOMEZ TO FILE MOTIONS TO DISMISS FIRST AMENDED COMPLAINT AND	
17	THE MARCUS & MILLICHAP COMPANY, a California corporation, et	ORDER	
18	al.,		
19	Defendants.		
20			
21	WHEREAS, on March 22, 2010, plaintiffs filed their First Amended Complaint; and		
22	WHEREAS, plaintiffs' First Amended Complaint is 230 pages and 826 paragraphs long,		
23 24	and contains significant factual and legal complexities; and		
25	WHEREAS, defendants Glen Kunofsky and Daisy Gomez seek a three (3) business-day		
26	extension of the current deadline to file their motions to dismiss the First Amended Complaint		
27	from Friday, April 16, 2010 to Wednesday, April 21, 2010; and		
28 CARLEY	WHEREAS, Plaintiffs consent to such an extension. 25928.001 000\688354.3		
LAW	STIPULATION		

1	THEREFORE, the part	ties hereby stipulate and jointly request that:	
2	1. Defendants Glen Kunofsky and Daisy Gomez will file their motions to dismiss the		
3	Amended Complaint on or before April 21, 2010;		
4	2. Plaintiffs shall file their oppositions to Defendants Kunofsky's and Gomez's		
5	motions to Dismiss on or before May 14, 2010;		
6			
7	3. Defendants Ku	Defendants Kunofsky and Gomez shall file any replies in support of their motions s on May 28, 2010, which is the date provided for by the previous Stipulated Joint	
8	to dismiss on May 28, 2010,		
9	Miscellaneous Administrative Request to Set Briefing Schedule on Motions to Dismiss and to		
10	Exceed the Page Limits on Briefs, filed on March 29, 2010.		
11 IT IS SO STIPULATED.			
12			
13	Dated: April, 2010	HOPKINS & CARLEY, ALC	
14		By: /s/ EUGENE ASHLEY, Esq.	
15		Attorneys for Defendants GLEN KUNOFSKY and DAIZY GOMEZ	
16			
17 18	2010		
19	Dated: April, 2010	ROBBINS GELLER RUDMAN & DOWD LLP	
20		By: /s/ David J. George, Esq. DAVID J. GEORGE, Esq.	
21		Attorneys for Plaintiffs (listed on Caption page)	
22	111		
23	111		
24	111		
25	111		
26	111		
27			
28			
HOPKINS & CARLEY ATTORNEYS AT LAW	25928.001 000\688354.3	- 2 -	

SAN JOSE

STIPULATION

ORDER

Pursuant to the stipulation of the Plaintiffs and Defendants Kunofsky and Gomez, it is ordered that:

- Defendants Kunofsky and Gomez may file motions to dismiss the First Amended Complaint on or before April 21, 2010;
- 2. All other briefing related to such motions, and the hearing on such motions, shall be as set forth in the Court's April 15, 2010 Order setting the briefing schedule, page limits and hearing date for Motions to Dismiss the First Amended Complaint.

IT IS SO ORDERED

Dated: April 21 , 2010

HONERABLE RONALD M. WHATE UNITED STATES DISTRICT JUDGE

25928.001 000\688354.3