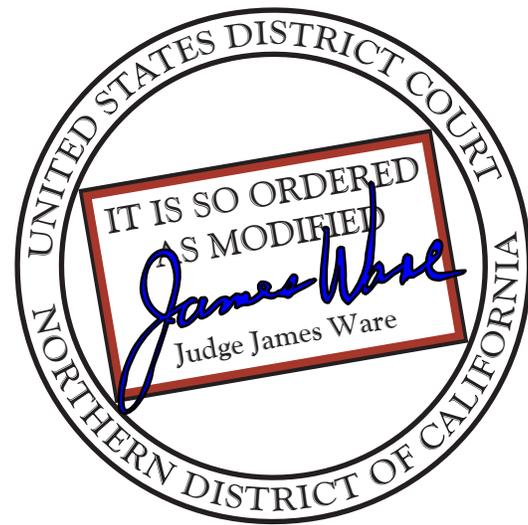


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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

DMB ERSB LLC, an Arizona limited liability company,
Plaintiff,
v.
LONGWOOD SAN BENITO LLC, a California limited liability company,
Defendant.
and
EL RANCHO SAN BENITO LLC, a Delaware limited liability company,
Nominal Defendant.

Case No. CV 09-02003 JW
**ORDER MODIFYING CASE SCHEDULE;
SETTING STATUS CONFERENCE RE:
SETTLEMENT**

LONGWOOD SAN BENITO LLC, a California limited liability company,
Cross-Complainant,
v.
DMB REALCO, LLC, an Arizona limited liability company, DMB COMMUNITIES LLC, an Arizona limited liability company, DMB COMMUNITIES II LLC, an Arizona limited liability company, DMB ERSB LLC, an Arizona limited liability company, and DOES 1-50,
Cross-Defendants.

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*** ORDER ***

Upon review of the parties' Stipulation, the Court finds good cause to extend the current case schedule to provide the parties with sufficient time to complete their settlement efforts.

Accordingly, the Court modifies the current Case Schedule as follows:

- (1) Close of All Discovery: **December 7, 2010**
- (2) Last Date for Hearing Dispositive Motions: **March 7, 2011 at 9 a.m.**
- (3) Preliminary Pretrial Conference: **November 8, 2010 at 11 a.m.**
- (4) Joint Preliminary Pretrial Statement: **October 29, 2010**

The Court also sets **August 30, 2010 at 10 a.m.** as a Status Conference re: Settlement. On or before **August 13, 2010**, the parties shall either file a Joint Status Statement re: Settlement updating the Court on the status of their settlement efforts, or a Stipulated Dismissal.

Dated: June 28, 2010



JAMES WARE
United States District Judge