

1 THE LANIER LAW FIRM, P.C.  
 2 Christopher D. Banys (SBN: 230038)  
 3 Daniel M. Shafer (SBN: 244839)  
 4 Nicholas S. Mancuso (SBN: 271668)  
 5 cdb@lanierlawfirm.com  
 6 dms@lanierlawfirm.com  
 7 nsm@lanierlawfirm.com  
 8 2200 Geng Road, Suite 200  
 9 Palo Alto, CA 94303  
 10 Telephone: (650) 322-9100  
 11 Facsimile: (650) 322-9103

12 Attorneys for Defendant  
 13 AUBREY CANNING, JR.

14 IN THE UNITED STATES DISTRICT COURT  
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 SAN JOSE DIVISION

17 ELMO SHROPSHIRE, d/b/a ELMO  
 18 PUBLISHING,

Case No. 5:10-CV-01941-LHK

19 Plaintiff,

20 v.

**~~PROPOSED~~ ORDER GRANTING  
 STIPULATION TO EXTENSION OF  
 HEARING DATE REGARDING  
 DEFENDANT'S MOTION TO DISMISS**

21 AUBREY CANNING, JR.,

22 Defendant.

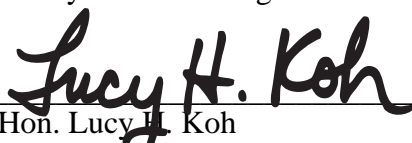
23 WHEREAS, Plaintiff Elmo Shropshire, d/b/a Elmo Publishing and Defendant Aubrey  
 24 Canning, Jr. have stipulated to an extension of the noticed hearing date currently set for July  
 25 28, 2011, regarding Defendant Canning's Motion to Dismiss, to allow Defendant to be  
 26 represented by counsel at a hearing on August 25, 2011, or a date thereafter as required by the  
 27 Court's calendar.

28 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

The hearing date for Defendant Canning's Motion to Dismiss shall be August 25,  
 2011 at 1:30 p.m., and shall be followed by a Case Management Conference.

**IT IS SO ORDERED.**

DATE: June 3, 2011

  
 Hon. Lucy H. Koh  
 United States District Judge