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6 Attorneys for Defendants,
CALLVINE, INC. and EDWARD R. PRINCE
7 erroneously sued herein as RUDY PRINCE

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

12 TIMOTHY GENS,
13 Plaintiff,
14 v.
15 VELLO CORPORATION; CALLVINE,
16 INC. and RUDY PRINCE,
17 Defendants.

CASE NO. 5:10-cv-03220-PVT

**STIPULATION AND ORDER
EXTENDING TIME FOR DEFENDANTS
TO FILE THEIR OPPOSITION TO
PLAINTIFF'S MOTION FOR REMAND**

Date: September 28, 2010
Dept.: 5, 4th Floor
Time: 10:00 a.m.

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22 WHEREAS, Plaintiff Timothy Gens has noticed his Motion for Remand to be heard on
23 September 28, 2010 before this Court;

24 WHEREAS, a dispute exists between Plaintiff Timothy Gens, on the one hand, and
25 Defendants Callvine, Inc. and Edward R. Prince, on the other hand, regarding whether or not
26 Plaintiff's Motion For Remand and supporting papers were timely filed and served to permit a
27 September 28, 2010 hearing date under the Local Rules of this Court;

28 WHEREAS, in order to avoid the filing by Defendants of a motion for administrative

1 relief pursuant to Civil L.R. 7-11 seeking to continue the hearing date so that Defendants have
2 more time to prepare and file their opposition to the Motion For Remand, Plaintiff has proposed
3 modifying the briefing schedule to provide Defendants with additional time to prepare and file
4 their opposition papers;

5 THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN TIMOTHY GENS
6 AND DEFENDANTS' ATTORNEYS' OF RECORD AS FOLLOWS:

7 1. If Plaintiff's Motion for Remand remains on the Court's calendar for hearing on
8 September 28, 2010, then Defendants Callvine, Inc. and Edward R. Prince shall have up to and
9 including September 10, 2010 to file their opposition to Plaintiff's Motion for Remand. By
10 agreeing to this stipulation, Defendants are not waiving any objections whatsoever (whether
11 procedural or substantive) that they may have to the Motion for Remand.

12 2. Plaintiff's reply brief shall be filed no later than September 14, 2010.

13 3. The requested time modification will not affect any other dates presently
14 scheduled for this case, and neither party has previously sought any modification to the briefing
15 schedule on Plaintiff's Motion for Remand.

16 DATED: September 2, 2010

17
18 By: /s/ Timothy H. Gens
19 Plaintiff, Timothy H. Gens
In Pro Per

20 DATED: September 2, 2010

GCA LAW PARTNERS LLP

21
22 By: /s/ James L. Jacobs
23 James L. Jacobs
Kathryn C. Curry
24 Attorneys for Defendant
CALLVINE, INC. and EDWARD R.
25 PRINCE

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ORDER

IT IS SO ORDERED. Defendants Callvine, Inc. and Edward R. Prince shall have up to and including September 10, 2010 to file their opposition to Plaintiff's Motion for Remand. Plaintiff's reply brief shall be filed no later than September 14, 2010.

Date: 9/3/10


Magistrate Patricia V. Trumbull