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7 Attorneys for Thomas Dillon, as Court-Appointed

8 Receiver for Vesta Strategies, LLC

9 and Excalibur 1031 Group LLC

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 THOMAS DILLON, as Court-Appointed
14 Receiver for Vesta Strategies, LLC and
15 Excalibur 1031 Group, LLC

16 Plaintiff,

17 vs.

18 CONTINENTAL CASUALTY COMPANY,
19 an Illinois corporation.

20 Defendant

Case No.: CV 10-5238-LHK

Assigned to Hon. Lucy H. Koh

**STIPULATION TO EXTEND
BRIEFING DEADLINES; [~~PROPOSED~~]
ORDER**

21 WHEREAS, pursuant to the Court's Order, counsel re-noticed the hearing on summary
22 judgment motions for December 20, 2012 (Dkt. Nos. 86 and 88);

23 WHEREAS, Plaintiff's and Defendant's motions and supporting documents have
24 already been filed with the court (Dkt. Nos. 75-79 for Plaintiff and Dkt. Nos. 80-85 for
25 Defendant);

26 WHEREAS, the current deadline for responses is September 24, 2012 and replies are
27 due by October 1, 2012 (Dkt. 74);

28 WHEREAS, Plaintiff's counsel is recovering from a medical procedure and requires
more time to file their response, so the Parties request that the briefing schedule be modified as
set forth below;

1 **THEREFORE, THE PARTIES STIPULATE AND AGREE** to revise the briefing
2 schedule as follows:

3

Event	Old Deadline	New Deadline
Oppositions	September 24, 2012	October 9, 2012
Replies	October 1, 2012	October 16, 2012

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6

7 The hearing date of December 20, 2012 will remain unchanged.
8

9 **STIPULATED AND AGREED.**

10 Dated: September____, 2012

HOLLISTER & BRACE

11 By: _____/s/

12 Robert L. Brace

13 Attorneys for Plaintiff Thomas A. Dillon,
14 the Court-Appointed Receiver for Vesta
Strategies, LLC and Excalibur 1031 Group

15
16 Dated: September____, 2012

TROUTMAN SANDERS

17 By: _____/s/

18 Eileen Bower (via e-mail auth)

19 Attorneys for Defendant Continental
Casualty Company

20
21 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**
22
23
24

25
26 DATED: September 14, 2012



27 HON. LUCY H. KOH
UNITED STATES DISTRICT JUDGE