

1 John F. Cove, Jr. (SBN 212213)
 2 Perry Grossman (SBN 260570)
 3 BOIES, SCHILLER & FLEXNER LLP
 1999 Harrison Street, Suite 900
 4 Oakland, California 94612
 Telephone: (510) 874-1000
 Facsimile: (510) 874-1460

5 Bruce A. Weil (FL State Bar No. 816469)
 Lawrence V. Ashe (FL state Bar No. 932280)
 6 BOIES, SCHILLER & FLEXNER LLP
 100 S. E. 2ND Street, Suite 2800
 7 Miami, FL 33131-2144
 Telephone: (305) 539-8400
 8 Facsimile: (305) 539-1307
To Appear Pro Hac Vice

9 *Attorneys for Plaintiff Robert Zangrillo*

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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13

14 ROBERT ZANGRILLO,
 15 Plaintiff,
 16 vs.
 17 PAUL GARDI,
 18 Defendant.

Case No.: 12-cv-00217-RMW

**FIFTH STIPULATION AND
 [] ORDER ENLARGING
 TIME TO FILE OPPOSITION TO
 MOTION TO DISMISS AND REPLY
 TO OPPOSITION AND TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE**

[Filed concurrently with Declaration of
 Perry M. Grossman in Support of Fifth
 Stipulation Enlarging Time to File
 Opposition to Motion to Dismiss and
 Reply to Opposition and to Continue
 Case Management Conference.]

Date: None
 Time: None
 Courtroom: None
 Judge: Hon. Ronald M. Whyte

1 WHEREAS, Plaintiff Robert Zangrillo commenced this action on December 13, 2011;
2 WHEREAS, Defendant Paul Gardi removed this action to this Court on January 13, 2012;
3 WHEREAS, Defendant moved to dismiss Plaintiff's claim for civil extortion on January 20,
4 2012 (the "Motion");

5 WHEREAS, the parties met and conferred on January 31, 2012, regarding a non-litigated
6 resolution of this matter;

7 WHEREAS, at their meeting on January 31, 2012, the parties reached agreement on the
8 terms of a non-litigated resolution of this matter and are presently in the process of preparing
9 documentation to effectuate that agreed-upon resolution, which resolution will result in a voluntary
10 dismissal of this action with prejudice;

11 WHEREAS, the parties have now exchanged settlement documents and are currently
12 finalizing those documents, which are of such a nature and complexity that a reasonable period of
13 time, likely thirty days, will be required to finalize and execute the related documentation;

14 WHEREAS, this stipulation is not entered into for the purpose of delay, but instead to avoid
15 the needless expenditure of resources by the parties and this Court in view of the fact that the parties
16 have been able to achieve a settlement of this matter and now need only to prepare and execute the
17 related settlement documentation; and

18 NOW THEREFORE, the parties, by and through their undersigned counsel, hereby stipulate
19 as follows:

- 20 1. Pursuant to Civil L.R. 6-2, Plaintiff's time to file his opposition to the Motion is
21 extended to and including June 14, 2012.
- 22 2. Pursuant to Civil L.R. 6-2, Defendant's time to file his reply to Plaintiff's opposition
23 is extended to and including June 21, 2012.
- 24 3. Pursuant to Civil L.R. 6-2, the hearing on the motion to dismiss is continued until
25 June

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5. Pursuant to Civil L.R. 6-2, the Case Management Conference is continued until J

Ronald M. Whyte