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Attorneys for Defendants,  
CC-Palo Alto, Inc. a Delaware corporation;  
Classic Residence Management Limited Partnership,  
an Illinois limited partnership; and CC-Development  
Group, Inc., a Delaware corporation

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

**BURTON RICHTER**, an individual;  
**LINDA COLLINS CORK**, an individual;  
**GEORGIA L. MAY**, an individual;  
**THOMAS MERIGAN**, an individual;  
**ALFRED SPIVACK**, an individual; and  
**JANICE R. ANDERSON**, an individual; on  
behalf of themselves and all other similarly  
situated

Plaintiff,

vs.

**CC-PALO ALTO, INC.**, a Delaware  
corporation; **CLASSIC RESIDENCE**  
**MANAGEMENT LIMITED**  
**PARTNERSHIP**, an Illinois limited  
partnership; and **CC-DEVELOPMENT**  
**GROUP, INC.**, a Delaware corporation

Defendants.

Case No.: C 14-00750 EJD

**STIPULATION AND ~~PROPOSED~~**  
**ORDER CONTINUING DEFENDANTS'**  
**MOTIONS TO DISMISS HEARING AND**  
**INITIAL CASE MANAGEMENT**  
**CONFERENCE**

Judge: The Hon. Edward J. Davila  
Trial Date: None set.

**STIPULATION**

WHEREAS Plaintiffs Burton Richter, Linda Collins Cork, Georgia May, Thomas Merigan, Alfred Spivack and Janice R. Anderson filed the Complaint in this action on February 19, 2014, naming as defendants CC-Palo Alto, Inc., Classic Residence Management Limited Partnership and CC-Development Group, Inc.;

WHEREAS on February 19, 2014, this case was assigned to the Honorable Howard R. Lloyd and the initial case management conference was set for June 24, 2014;

WHEREAS, on March 17, 2014, defendants filed motions to dismiss;

WHEREAS, the hearing for defendants' motions to dismiss was initially set on June 3, 2014;

WHEREAS, on March 24, 2014, this case was reassigned to the Honorable Edward J. Davila and the motions to dismiss and initial case management conference were vacated and reset for August 8, 2014;

WHEREAS, on April 1, 2014, the motions to dismiss and initial case management conference were vacated and reset for August 15, 2014;

WHEREAS, on August 11, 2014, the motions to dismiss and initial case management conference were vacated and reset for August 28, 2014;

WHEREAS, Jim McManis, who will argue the motions for defendants, is unavailable on August 28, 2014;

WHEREAS, counsel for the parties have conferred on continuing the motions to dismiss hearing and case management conference, and are mutually available on the following dates: August 18, 19, and 26 (morning only), and September 9 or 19.

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1 NOW, THEREFORE, the parties, through their respective counsel of record, stipulate  
2 and respectfully request that the Court enter an order continuing the hearing on  
3 Defendants' Motions to Dismiss and Case Management Conference from August 28, 2014, to  
4 one of the following dates: August 18, 19, and 26 (morning only), and September 9 or 19.

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6 **IT IS SO STIPULATED.**

**COTCHETT, PITRE & McCARTHY, LLP**

7 Dated: August 12, 2014

8 /s/ Niall McCarthy  
9 NIALL P. McCARTHY  
10 ANNE MARIE MURPHY  
11 DEMETRIUS X. LAMBRINOS

*Attorneys for Plaintiffs*

12 Dated: August 12, 2014

**McMANIS FAULKNER**


13  
14 /s/ Hilary Weddell  
15 JAMES McMANIS  
16 SHARON KIRSCH  
17 HILARY WEDDELL

*Attorneys for Defendants*

18 **ORDER**

19 Pursuant to the parties' stipulation above, IT IS HEREBY ORDERED as follows:  
20 The hearing on Defendants' Motions to Dismiss and the Case Management Conference currently  
21 scheduled for August 28, 2014 at 1:30 p.m. is hereby continued to August 26, 2014 at 8:30 a.m..

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23  
24 Dated: August 12, 2014

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26 JUDGE EDWARD J. DAVILA  
27 UNITED STATES DISTRICT COURT  
28 NORTHERN DISTRICT OF CALIFORNIA