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7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT CALIFORNIA**

10	_____ )	
11	COMMODITY FUTURES )	Case No: 3:19-cv-07284-EMC
12	TRADING COMMISSION, )	
13	Plaintiff, )	<b>JOINT STIPULATION TO</b>
14	vs. )	<b>EXTEND DEADLINE TO</b>
15	DENARI CAPITAL, LLC, TRAVIS )	<b>ANSWER OR OTHERWISE</b>
16	CAPSON, and ARNAB SARKAR, )	<b>PLEAD, AND TO RESCHEDULE</b>
17	Defendants. )	<b>INITIAL CASE MANAGEMENT</b>
18	_____ )	<b>CONFERENCE</b>

19 The parties are continuing to make process towards an expeditious resolution of this matter, and  
 20 are in agreement that a further extension of the deadline for defendants to file an answer or other  
 21 responsive pleading, and postponing the initial case management conference, will aid in this effort. The  
 22 parties therefore submit this Joint Stipulation for the Court’s consideration along with a proposed order.

23 Plaintiff Commodity Futures Trading Commission (“CFTC”) filed this action on November 5,  
 24 2019. (Complaint, D.E. # 1.) On November 21, 2019 the parties filed a joint stipulation to set a briefing  
 25 schedule on motions filed by the CFTC, and also to set a deadline of January 6, 2020 for Defendants to  
 26 file their answer or other responsive pleading. (D.E. # 25.) On November 21, 2019, the Court entered a

1 Case Management Order which, among other things, set the initial case management conference in this  
2 case for February 27, 2020. (D.E. # 26.) On November 22, 2019, the Court entered an order setting a  
3 briefing schedule on the CFTC's motions, and setting a deadline of January 6, 2020 for Defendants to  
4 file their answer or other responsive pleading. (D.E. # 27.) On December 3, 2019 the parties filed a  
5 joint stipulation for entry of a preliminary injunction order (D.E. # 36), and on December 4, 2019 the  
6 Court entered a Consent Preliminary Injunction order (D.E. # 37). On December 26, 2019, the parties  
7 filed a Joint Stipulation to extend the deadline for defendants to file an answer or other responsive  
8 pleading to the complaint. (D.E. # 38.) On December 31, 2019, the Court entered an order pursuant to  
9 the parties' joint stipulation which extended the deadline for defendants to respond to the complaint until  
10 February 10, 2020. On February 7, 2020, the parties filed a second Joint Stipulation to extend the  
11 deadline for defendants to file an answer or other responsive pleading to the complaint. (D.E. # 48.) On  
12 February 10, 2020, the Court entered an order pursuant to the parties' joint stipulation which extended  
13 the deadline for defendants to respond to the complaint until March 16, 2020. (D.E. # 49.)

14 The parties are continuing to cooperate with the Temporary Receiver to gather and process  
15 information relating to the Defendants' finances and operations. The previous extensions have allowed  
16 the parties to make progress towards a potential resolution of this matter. The parties jointly request and  
17 stipulate to an extension of six weeks for the defendants to file an answer or other responsive pleading to  
18 the CFTC's complaint, so that the parties may continue to focus on cooperating with the Temporary  
19 Receiver in compliance with the Preliminary Injunction Order, and potentially resolve this matter  
20 without further litigation. The parties jointly stipulate to a deadline of April 27, 2020 for the Defendants  
21 to file an answer or other responsive pleading. The parties also jointly stipulate to and request that the  
22 Court reschedule the initial case management conference to May 14, 2020, or another date at the Court's  
23 convenience. The parties have attached a Proposed Order granting these requests.

Respectfully submitted,

Date: March 13, 2020

**Attorney for Plaintiff CFTC:**

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