

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT CALIFORNIA**

COMMODITY FUTURES
TRADING COMMISSION,

Plaintiff,

vs.

DENARI CAPITAL, LLC, TRAVIS
CAPSON, ARNAB SARKAR,

Defendants.

Case No: 3:19-cv-07284-EMC

**[PROPOSED] ORDER
EXTENDING DEADLINE FOR
DEFENDANTS TO ANSWER OR
OTHERWISE PLEAD, AND
RESCHEDULING CASE
MANAGEMENT CONFERENCE**

Plaintiff Commodity Futures Trading Commission (“CFTC”) filed this action on November 5, 2019. (Complaint, D.E. # 1.) On November 21, 2019 the parties filed a joint stipulation to set a briefing schedule on motions filed by the CFTC, and also to set a deadline of January 6, 2020 for Defendants to file their answer or other responsive pleading. (D.E. # 25.) On November 21, 2019, the Court entered a Case Management Order which, among other things, set the initial case management conference in this case for February 27, 2020. (D.E. # 26.) On November 22, 2019, the Court entered an order setting a briefing schedule on the CFTC’s motions, and setting a deadline of January 6, 2020 for Defendants to file their answer or other responsive pleading. (D.E. # 27.) On December 3, 2019 the parties filed a joint stipulation for entry of a preliminary injunction order (D.E. # 36), and on December 4, 2019 the Court entered a Consent Preliminary Injunction order (D.E. # 37). On December 26, 2019, the parties filed a Joint Stipulation to extend the deadline for defendants to file an answer or other responsive pleading to the complaint. (D.E. # 38.) On December 31, 2019, the Court entered an order pursuant to the parties’ joint stipulation which extended the deadline for defendants to respond to the complaint until February 10, 2020. (D.E. # 39.) On February 7, 2020, the parties filed a second Joint Stipulation to extend the deadline for defendants to file an answer or other responsive pleading to the complaint. (D.E.

1 # 48.) On February 10, 2020, the Court entered an order pursuant to the parties' joint stipulation which
2 extended the deadline for defendants to respond to the complaint until March 16, 2020. (D.E. # 49.)

3 The parties have informed the Court that they are continuing to cooperate with the Temporary
4 Receiver to gather and process information relating to the Defendants' finances and operations. The
5 parties jointly request and stipulate to an extension of six weeks for the Defendants to file an answer or
6 other responsive pleading, so that the parties can continue to focus on cooperating with the Temporary
7 Receiver in compliance with the Preliminary Injunction Order, and potentially resolve this matter
8 without further litigation. The parties also jointly request and stipulate to reschedule the initial case
9 management conference in this matter for the same reason.

10 Pursuant to the Joint Stipulation to Extend Deadlines, the deadline for Defendants to file an
11 answer or other responsive pleading to the Complaint is April 27, 2020. Pursuant to the Joint
12 Stipulation to Extend Deadlines, the case management conference set for March 26, 2020 at 9:30 a.m. is
13 stricken, and reset for May 14, 2020 at 9:30 a.m.

14 **IT IS SO ORDERED**

15
16 Dated: March __, 2020

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18 _____
EDWARD M. CHEN
United States District Judge