

1 **UNITED STATES DISTRICT COURT**  
2 **NORTHERN DISTRICT CALIFORNIA**

3  
4 COMMODITY FUTURES  
TRADING COMMISSION,

5  
6 Plaintiff,

7 vs.

8 DENARI CAPITAL, LLC, TRAVIS  
CAPSON, ARNAB SARKAR,

9  
10 Defendants.

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

~~11~~ **[PROPOSED] ORDER**  
**EXTENDING DEADLINE FOR**  
**DEFENDANTS TO ANSWER OR**  
**OTHERWISE PLEAD, AND**  
**RESCHEDULING CASE**  
**MANAGEMENT CONFERENCE**

12 Plaintiff Commodity Futures Trading Commission (“CFTC”) filed this action on November 5,  
13 2019. (Complaint, D.E. # 1.) On November 21, 2019 the parties filed a joint stipulation to set a briefing  
14 schedule on motions filed by the CFTC, and also to set a deadline of January 6, 2020 for Defendants to  
15 file their answer or other responsive pleading. (D.E. # 25.) On November 21, 2019, the Court entered a  
16 Case Management Order which, among other things, set the initial case management conference in this  
17 case for February 27, 2020. (D.E. # 26.) On November 22, 2019, the Court entered an order setting a  
18 briefing schedule on the CFTC’s motions, and setting a deadline of January 6, 2020 for Defendants to  
19 file their answer or other responsive pleading. (D.E. # 27.) On December 3, 2019 the parties filed a  
20 joint stipulation for entry of a preliminary injunction order (D.E. # 36), and on December 4, 2019 the  
21 Court entered a Consent Preliminary Injunction order (D.E. # 37).

22 Since that time, the parties have filed three joint stipulations to extend the deadline for  
23 Defendants to respond to the complaint, and to reschedule the Case Management Conference. (D.E. #'s  
24 38, 48 and 52.) The Court has allowed these extensions. (D.E. # 39, 49 and 53.) The parties have  
25 informed the Court that they are continuing to cooperate with the Temporary Receiver to gather and  
26 process information relating to the Defendants’ finances and operations. The parties jointly request and

1 stipulate to an extension of six weeks for the Defendants to file an answer or other responsive pleading,  
2 so that the parties can continue to focus on cooperating with the Temporary Receiver in compliance with  
3 the Preliminary Injunction Order, and potentially resolve this matter without further litigation. The  
4 parties also jointly request and stipulate to reschedule the initial case management conference in this  
5 matter for the same reason.

6 Pursuant to the Joint Stipulation to Extend Deadlines, the deadline for Defendants to file an  
7 answer or other responsive pleading to the Complaint is June 8, 2020. Pursuant to the Joint Stipulation  
8 to Extend Deadlines, the case management conference set for May 28, 2020 at 9:30 a.m. is stricken, and  
9 reset for July 9, 2020 at 9:30 a.m. Joint status report due July 2, 2020.

10 **IT IS SO ORDERED**

11  
12 Dated: April 24, 2020



13  
14 EDWARD M. CHEN  
15 United States District Judge  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26