

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

3
4 COMMODITY FUTURES
5 TRADING COMMISSION,

6 Plaintiff,

7 vs.

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

10 Defendants.

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

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

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


Since that time, the parties have filed five joint stipulations to extend the deadline for Defendants
to respond to the complaint, and to reschedule the Case Management Conference. (D.E. #'s 38, 48, 52,
54, and 69.) The Court has allowed these extensions. (D.E. # 39, 49, 53, 55, and 60.) The parties have
informed the Court that they are continuing to cooperate with the Temporary Receiver to gather and
process information relating to the Defendants’ finances and operations. The Temporary Receiver

1 recently filed a Report describing the status of her efforts in this case. (D.E. # 56.) The parties jointly
2 request and stipulate to an extension of eight weeks for the Defendants to file an answer or other responsive
3 pleading, so that the parties can continue to focus on cooperating with the Temporary Receiver in
4 compliance with the Preliminary Injunction Order, and potentially resolve this matter without further
5 litigation. The parties also jointly request and stipulate to reschedule the initial case management
6 conference in this matter for the same reason.

7 Pursuant to the Joint Stipulation to Extend Deadlines, the deadline for Defendants to file an answer
8 or other responsive pleading to the Complaint is September 28, 2020. Pursuant to the Joint Stipulation to
9 Extend Deadlines, the case management conference set for September 3, 2020 at 9:30 a.m. is stricken, and
10 reset for October 29, 2020 at 9:30 a.m.

11 **IT IS SO ORDERED**

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13 Dated: July 31, 2020

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16 EDWARD M. CHEN
17 United States District Judge
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