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

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

18 _____

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

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

1 file their answer or other responsive pleading. (D.E. # 25.) On November 21, 2019, the Court entered a
2 Case Management Order which, among other things, set the initial case management conference in this
3 case for February 27, 2020. (D.E. # 26.) On November 22, 2019, the Court entered an order setting a
4 briefing schedule on the CFTC's motions, and setting a deadline of January 6, 2020 for Defendants to
5 file their answer or other responsive pleading. (D.E. # 27.) On December 3, 2019 the parties filed a
6 joint stipulation for entry of a preliminary injunction order (D.E. # 36), and on December 4, 2019 the
7 Court entered a Consent Preliminary Injunction order (D.E. # 37).

8 Since that time, the parties have filed three joint stipulations to extend the deadline for
9 Defendants to respond to the complaint, and to reschedule the Case Management Conference. (D.E. #'s
10 38, 48 and 52.) The Court has allowed these extensions. (D.E. # 39, 49 and 53.) The current deadline
11 for defendants to respond to the complaint is April 27, 2020, and the Case Management Conference is
12 set for May 28, 2020. (D.E. 53.)

13 Despite the challenges, and some delays, associated with working during the ongoing
14 Coronavirus pandemic, the parties are continuing to cooperate with the Temporary Receiver to gather
15 and process information relating to the Defendants' finances and operations. The previous extensions
16 have allowed the parties to make progress towards a potential resolution of this matter. The parties
17 jointly request and stipulate to an extension of six weeks for the defendants to file an answer or other
18 responsive pleading to the CFTC's complaint, so that the parties may continue to focus on cooperating
19 with the Temporary Receiver in compliance with the Preliminary Injunction Order, and potentially
20 resolve this matter without further litigation. The parties jointly stipulate to a deadline of June 8, 2020
21 for the Defendants to file an answer or other responsive pleading. The parties also jointly stipulate to
22 and request that the Court reschedule the initial Case Management Conference to July 9, 2020, at 9:30
23 a.m. or another date at the Court's convenience. The parties have attached a Proposed Order granting
24 these requests.

Respectfully submitted,

Date: April 24, 2020

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