

**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).

Since that time, the parties have filed three 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 and 52.) The Court has allowed these extensions. (D.E. # 39, 49 and 53.) 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 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.

10 **IT IS SO ORDERED**

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12 Dated: April _____, 2020

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15 EDWARD M. CHEN
16 United States District Judge
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