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

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

19
20 The parties are continuing to work towards an expeditious resolution of this matter, and are in
21 agreement that a further extension of the deadline for defendants to file an answer or other responsive
22 pleading, and postponing the initial case management conference currently set for February 27, will aid
23 in this effort. The parties therefore submit this Joint Stipulation for the Court’s consideration, along
24 with a proposed order.

25 Plaintiff Commodity Futures Trading Commission (“CFTC”) filed this action on November 5,
26 2019. (Complaint, D.E. # 1.) On November 21, 2019 the parties filed a joint stipulation to set a briefing

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

13 The parties are continuing to cooperate with the Temporary Receiver to gather and process
14 information relating to the Defendants' finances and operations. The previous extension has allowed the
15 parties to make progress towards a potential resolution of this matter. The parties jointly request and
16 stipulate to an extension of five weeks for the defendants to file an answer or other responsive pleading
17 to the CFTC's complaint, so that the parties may continue to focus on cooperating with the Temporary
18 Receiver in compliance with the Preliminary Injunction Order, and potentially resolve this matter
19 without further litigation. The parties jointly stipulate to a deadline of March 16, 2020 for the
20 Defendants to file an answer or other responsive pleading. The parties also jointly stipulate to and
21 request that the Court reschedule the initial case management conference to April 2, 2020, or another
22 later date at the Court's convenience. (Counsel for the CFTC is unavailable from April 6-15, 2020, due
23 to a previously planned spring break holiday vacation, and respectfully requests that the case
24 management conference not be scheduled during that time.) The parties have attached a Proposed Order
25 granting these requests.

Respectfully submitted,

Date: February 7, 2020

Attorney for Plaintiff CFTC:

/s/ Carlin Metzger

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