

USDC SCAN INDEX SHEET



CAG 11/15/05 9:45

3:04-CV-02295 SEC V. EMVEST MORTGAGE FUND

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STIPO.

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FILED
05 NOV 14 AM 11:47
CLERK, U.S. DISTRICT COURT,
SOUTHERN DISTRICT OF CALIFORNIA
BY *Calumie* DEPUTY

6 Attorneys for Defendants EMVEST MORTGAGE FUND,
7 LLC; EMVEST, INC.; and MILON LYLE BROCK

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

12 SECURITIES AND EXCHANGE
13 COMMISSION,

13 Plaintiff,

14 v.

15 EMVEST MORTGAGE FUND, LLC;
16 EMVEST, INC.; and MILON LYLE
17 BROCK,

17 Defendants.

CASE NO. 04 CV 2295 DMS (POR)

STIPULATION REGARDING HEARING
OF DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT FILED
OCTOBER 24, 2005 AND BRIEFING
SCHEDULE AND HEARING FOR
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT FILED
NOVEMBER 4, 2005

ORIGINAL

19 IT IS HEREBY STIPULATED by and between the Plaintiff SECURITIES AND
20 EXCHANGE COMMISSION ("Plaintiff"), through its counsel, and Defendants EMVEST
21 MORTGAGE FUND, LLC; EMVEST, INC.; and MILON LYLE BROCK ("Defendants"),
22 through their counsel, as follows:

- 23
- 24 1. Defendants' Motion for Summary Judgment currently scheduled to be heard
25 before Judge Sabraw on November 22 at 1:30 p.m., be rescheduled to December 2, 2005, at 1:30
26 p.m.
 - 27 2. Plaintiff's Motion for Summary Judgment be scheduled for hearing before Judge
28 Sabraw on December 2, 2005, at 1:30 p.m.

MCKENNA LONG &
ALDRIDGE LLP
ATTORNEYS AT LAW
SAN DIEGO

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3. Defendants' Opposition to Plaintiff's Motion for Summary Judgment to be served on all parties and filed with the Court on November 21, 2005.

4. Plaintiff's Reply to Defendants' Oppositions to Plaintiff's Motion for Summary Judgment to be served on all parties and filed with the Court on November 29, 2005.

IT IS HEREBY STIPULATED AND AGREED.

Dated: November 9, 2005 SECURITIES AND EXCHANGE COMMISSION

By: Susan F. Hannan
Susan F. Hannan, Esq.
Molly M. White, Esq.
Attorneys for Plaintiff SECURITIES AND EXCHANGE COMMISSION

Dated: November 10, 2005 MCKENNA LONG & ALDRIDGE LLP

By: Robert S. Brewer, Jr.
Robert S. Brewer, Jr.
Robert A. Cocchia
Joseph N. Casas
Attorneys for Defendants EMVEST MORTGAGE FUND, LLC; EMVEST, INC.; and MILON LYLE BROCK

PROPOSED ORDER

IT IS HEREBY ORDERED that:

- 1. Defendants' Motion for Summary Judgment be heard on December 2, 2005, at 1:30 p.m.
- 2. Plaintiff's Motion for Summary Judgment be heard on December 2, 2005, at 1:30 p.m.
- 3. Defendants' Opposition to Plaintiff's Motion for Summary Judgment to be served on all parties and filed with the Court on November 21, 2005.
- 4. Plaintiff's Reply to Defendants' Oppositions to Plaintiff's Motion for Summary

MCKENNA LONG & ALDRIDGE LLP
ATTORNEYS AT LAW
SAN DIEGO

1 Judgment to be served on all parties and filed with the Court on November 29, 2005

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3 Dated: 11-19-05


HON. DANA M. SABRAW
Judge, United States District Court

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