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15 Attorneys for Defendants  
16 Matthew Katzer and Kamind Associates, Inc.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 SAN FRANCISCO DIVISION

20 ROBERT JACOBSEN, an individual, )  
21 )  
22 Plaintiff, )  
23 )  
24 vs. )  
25 )  
26 MATTHEW KATZER, an individual, KAMIND )  
ASSOCIATES, INC., an Oregon corporation dba )  
KAM Industries, and KEVIN RUSSELL, an )  
individual, )  
Defendants. )

Case Number C06-1905-JSW

DECLARATION OF R. SCOTT  
JERGER IN SUPPORT OF  
ADMINISTRATIVE MOTION TO  
SET A BRIEFING SCHEDULE ON  
DEFENDANTS MATTHEW  
KATZER AND KAMIND  
ASSOCIATES, INC.'S MOTION TO  
DISMISS AND MOTION TO STAY  
AND BIFURCATE

I, R. Scott Jerger, declare that I am over the age of 18 and am competent to testify and make these averments from my own knowledge and observations. I hereby state as follows:

1. I am the attorney for Matt Katzer and KAMIND Associates, Inc.
2. I am submitting this declaration pursuant to LR 7-11.

1 3. On June 23, 2006 I proposed the briefing schedule the defendants request in the instant  
2 motion to the plaintiff.

3 4. On June 26, 2006, the plaintiff agreed to the proposed briefing schedule and I sent the  
4 plaintiff a draft stipulated motion, which the plaintiff did not sign.

5 5. On June 28, 2006, the plaintiff confirmed his agreement with the proposed briefing  
6 schedule.

7 6. Later on June 28, 2006, the plaintiff requested a revised briefing schedule.

8 7. On June 28, 2006, the defendants agreed to a revised briefing schedule, however the  
9 plaintiff no longer consents to a revised briefing schedule.

10 8. Attached as Exhibit A is a copy of the email correspondence between plaintiff's counsel  
11 and me regarding a briefing schedule.

12 I declare under penalty of perjury under the laws of the United State of America that the  
13 foregoing is true and correct.

14 Executed on June 30, 2006 at Portland, Oregon.

15 \_\_\_\_\_  
16 /s/  
R. Scott Jerger