

RENA RICKLES
ATTORNEY AT LAW

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1970 BROADWAY, SUITE 1200
OAKLAND, CA 94612
TEL: (510) 452-1600 • FAX: (510) 451-4115

FAX TRANSMITTAL

DATE: July 9, 2003
TO: David Levy; Clerk, City of Berkeley; City Attorney
FAX: 415-276-7084; 981-6901; 981-6960
RE: 1936 Delaware Street; Stipulation for Continuance to September 9, no appearance
by Counsel
FROM: Rena Rickles
FAX (510) 451-4115
PHONE: (510) 452-1600

NO. OF PAGES INCLUDING COVER SHEET: 3

COMMENTS: Please call with any questions, comments

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ATTORNEYS AT LAW

425 MARKET STREET
SAN FRANCISCO, CALIFORNIA 94105-2482
TELEPHONE (415) 268-7000
TELEFACSIMILE (415) 268-7522

NEW YORK
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July 8, 2003

Via E-Mail

Hon. Mayor Bates and City Council
City of Berkeley
2180 Milvia Street
Berkeley, California 94704

Writer's Direct Contact
Telephone: 415-268-6238
Telefacsimile: 415-276-7084
DLevy@mofa.com

Re: 1936 Delaware Street - Use Permit Appeal - Request for Continuance

Dear Mayor Bates and Council Members:

By this letter, and the signature of the appellants' attorney Rena Rickles below, the parties in this matter request that it be continued to September 9. Ms. Rickles will be out of the country from July 10 to July 27, thus the only other remaining public hearing meeting before September, July 15, is impossible for her to attend. Since our prior request for a continuance, the parties have reached a tentative agreement, but have not been able to work out the final details yet. She will also be out of town from September 14-28. Accordingly, we request that this matter be continued to the Council's September 9 calendar, at which time we hope to present an executed settlement and revised project. The parties understand that if they cannot present an executed final agreement to the City Council on September 9, their matter cannot be heard until the regularly scheduled Public Hearing in October. Given this joint request for a continuance, and after consulting with the City Attorney, neither I nor Ms. Rickles plan to attend the hearing tonight. Thank you very much.

Very truly yours,


David C. Levy

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Mayor and Council Members
City of Berkeley
July 8, 2003
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APPROVED AND AGREED

A handwritten signature in cursive script, reading "Rena Rickles", is written over a horizontal line.

Rena Rickles, Esq.
Attorney for Appellants

cc: Messrs. Mark Rhoades and Steve Solomon, Planning Department
Zachary D. Cowan, Esq., Office of the City Attorney
Rena Rickles, Esq.