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(SPACE BELOW FOR FILING STAMP ONLY)

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6 LONE MOUNTAIN AVIATION

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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

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11 FRESNO JETPROP, LLC,
12 Plaintiff,
13 v.
14 LONE MOUNTAIN AVIATION,
15 Defendant.

Case No. 1:10-CV-00197-LJO-GSA

**STIPULATION TO SET ASIDE DEFAULT
AND TO ALLOW THE ANSWER FILED
BY LONE MOUNTAIN AVIATION TO
STAND, ORDER THEREON**

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17 Plaintiff, FRESNO JETPROP, LLC, (“Plaintiff”) and Defendant LONE MOUNTAIN
18 AVIATION (“Defendant”), by and through their attorneys of record, agree as follows:

19 WHEREAS Plaintiff filed a Complaint in U.S. District Court Eastern District of
20 California, against Defendant on February 3, 2010;

21 WHEREAS Plaintiff submits that Defendant was served on February 11, 2010;

22 WHEREAS Defendant did not respond to the Complaint prior to March 5, 2010;

23 WHEREAS Plaintiff Requested an Entry of Default as to Defendant which was entered
24 March 5, 2010, by the Clerk;

25 WHEREAS Defendant filed an Answer to Complaint with Jury Demand on June 28,
26 2010.

27 IT IS THEREFORE STIPULATED, pending a further order of the Court, that the Default
28 as to Defendant LONE MOUNTAIN AVIATION entered March 5, 2010, be set aside and the
53205/00000-1602698.v1

1 Answer to the Complaint, filed June 28, 2010, be allowed to stand as the Answer to the
2 Complaint filed February 3, 2010.

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4 Dated: August 18, 2010

Respectfully submitted by:
BAKER, MANOCK & JENSEN PC

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By: /s/ Charles Manock
Charles Manock
Attorneys for Plaintiff
FRESNO JETPROP, LLC

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10 Dated: August 18, 2010

Respectfully submitted by:

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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By: /s/ Gregory S. Mason
Gregory S. Mason
Attorneys for Defendant
LONE MOUNTAIN AVIATION

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ORDER

18 GOOD CAUSE HAVING BEEN SHOWN AND THE PARTIES HAVING
19 STIPULATED TO THE SAME, the Court finds that the above-stated **STIPULATION** is
20 sanctioned by the Court and shall be and now is the Order of the Court. The Default entered
21 against LONE MOUNTAIN AVIATION on March 5, 2010, is hereby set aside, and the Answer
22 to Complaint filed by Defendant LONE MOUNTAIN AVIATION will stand as the Answer to
23 the Complaint filed February 3, 2010.

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25 IT IS SO ORDERED.

26 Dated: **August 19, 2010**

 /s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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