

1 DOWLING AARON INCORPORATED
David J. Weiland (State Bar No. 160447)
2 dweiland@dowlingaaron.com
Steven D. McGee (State Bar No. 71886)
3 smcgee@dowlingaaron.com
Matthew R. Dildine (SBN 258685)
4 mdildine@dowlingaaron.com
8080 North Palm Avenue, Third Floor
5 Fresno, CA 93729-8902
Telephone: 559-432-4500
6 Facsimile: 559-432-4590

7 RUTAN & TUCKER, LLP
William T. Eliopoulos (State Bar No. 100633)
8 weliopoulos@rutan.com
Kaveh Badiei (State Bar No. 215179)
9 kbadiiei@rutan.com
Five Palo Alto Square
10 3000 El Camino Real, Suite 200
Palo Alto, CA 94306-9814
11 Telephone: 650-320-1500
Facsimile: 650-320-9905

12 Attorneys for Defendant
13 CVIN, LLC

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA
16 FRESNO DIVISION

17 MP NEXLEVEL OF CALIFORNIA, INC.,
18 Plaintiff,
19 vs.
20 CVIN, LLC dba VAST NETWORKS;
21 CALAVERAS COMMUNICATIONS
22 COMPANY; SEBASTIAN ENTERPRISES,
23 INC.; VOLCANO COMMUNICATIONS
24 COMPANY; STAGELINE
25 COMMUNICATIONS, INC.; THE
26 PONDEROSA TELEPHONE COMPANY;
27 SIERRA TEL COMMUNICATIONS GROUP;
28 VARNET, INC.; CAL-ORE TELEPHONE
CO.; DUCOR TELEPHONE COMPANY;
CONSOLIDATED COMMUNICATIONS
HOLDINGS, INC.; THE CORPORATION
FOR EDUCATION NETWORK
INITIATIVES IN CALIFORNIA; and DOES 1
to 100,
Defendants.

Case No. 1:14-cv-00288

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING TO SECOND
AMENDED COMPLAINT**

Date Action Filed: February 21, 2014
Trial Date: None Set

1 WHEREAS, plaintiff MP Nexlevel of California, Inc. (“Plaintiff”) brought this action
2 against defendant CVIN, LLC (“CVIN”) and others;

3 WHEREAS, following order of the Court, Plaintiff filed and served its Second Amended
4 Complaint in this action on July 25, 2014;

5 WHEREAS, CVIN requires an extension of time to prepare and file its answer to
6 Plaintiff’s Second Amended Complaint and intends to file a counterclaim with its answer, and
7 Plaintiff has agreed to an extension until August 26, 2014;

8 IT IS HEREBY STIPULATED, by and between Plaintiff and CVIN, through their
9 undersigned attorneys, that CVIN shall have an extension of time to file and serve its answer and
10 counterclaim to the Second Amended Complaint up through and including August 26, 2014.

11 IT IS SO STIPULATED.

12 Dated: August 11, 2014

RUTAN & TUCKER, LLP

13
14 By: /s/ William Eliopoulos

15 William T. Eliopoulos
16 Attorneys for Defendant
CVIN, LLC

17 Dated: August 11, 2014

18 WILSON, ELSER, MOSKOWITZ, EDELMAN
& DICKER LLP

19 By: Ben Patrick /S/ (as authorized on 8/8/14)

20 Ben Patrick
21 Attorneys for Plaintiff
MP NEXLEVEL OF CALIFORNIA, INC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to the parties' stipulation outlined above, IT IS HEREBY ORDERED that defendant CVIN, LLC shall have an extension of time to file an answer and counterclaim to Plaintiff's Second Amended Complaint so that said pleadings are filed and served on or before August 26, 2014.

IT IS SO ORDERED.

Dated: August 11, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE