

JOHN E. FISCHER, SBN 065792
 MURPHY AUSTIN ADAMS SCHOENFELD LLP
 304 "S" Street (95811-6906)
 Post Office Box 1319
 Sacramento, California 95812-1319
 Telephone: (916) 446-2300
 Facsimile: (916) 503-4000
 Email: jfischer@murphyaustin.com

BLAKE SHEPARD, SBN 161356
 LEONARD, STREET AND DEINARD
 Professional Association
 150 South Fifth Street, Suite 2300
 Minneapolis, MN 55204-4238
 Telephone: (612) 335-1500
 Facsimile: (612) 335-1657
blake.shepard@leonard.com

Attorneys for Plaintiff
 BUENA VISTA BIOMASS DEVELOPMENT,
 LLC

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA

BUENA VISTA BIOMASS
 DEVELOPMENT, LLC, a South Dakota
 limited liability company,

Plaintiff,

v.

ONETO GROUP, INC., a California
 corporation,

Defendant.

Case No. 2:08-cv-01011-JAM-DAD

**STIPULATION AND ORDER FOR
 EXTENSION TO FILE STATUS REPORT**

Buena Vista Biomass Development, LLC and Oneto Group, Inc., through their respective counsel, are hereby requesting a one week extension to file a Status Report with the Court and jointly stipulate and request that the Court enter an Order extending the date for filing the Status Report from the current date of August 4, 2009 to August 11, 2009. This extension will allow the parties time for an additional meeting concerning the Purchase and Sale Agreement for sale of the Biomass Project assets prior to filing the Status Report.

On February 4, 2009, Buena Vista and Oneto executed an Exclusivity Agreement under which the parties agreed to negotiate in good faith a binding Purchase and Sale Agreement ("PSA") for Buena Vista's acquisition of the Biomass Project assets. Since entering into the Exclusivity Agreement, the parties finalized the terms of the Purchase and Sale Agreement and it was executed on April 9, 2009. The Purchase and Sale Agreement contemplated a closing by June 30, 2009 and in any event no later than July 8, 2009 and further provided that the parties would stipulate to stay all litigation activities and extend all litigation activities to June 30, 2009. The Purchase and Sale Agreement also provided that the parties could agree to extend the closing date and also to extend the litigation stay. The parties closing date was extended to August 4, 2009. By order of the court on June 30, 2009, the stay on litigation activities and approaching pre-trial deadlines was extended from June 30, 2009 to August 4, 2009 and the parties were to file a Status Report on August 4, 2009. However, the parties have a meeting scheduled for August 5, 2009, are therefore requesting a one week extension to August 11, 2009 to file the Status Report.

For these reasons, the parties request that the Court grant an extension to and including August 11, 2009 for the parties to file a Status Report.

Dated: June 26, 2009

MURPHY AUSTIN ADAMS SCHOENFELD LLP

By: /s/ John E. Fischer

JOHN E. FISCHER
Attorneys for Plaintiff
BUENA VISTA BIOMASS DEVELOPMENT,
LLC

Dated: June 26, 2009

CRAIGIE, MCCARTHY & CLOW

By: /s/ Peter W. Craigie

PETER W. CRAIGIE
Attorneys for Defendant
ONETO GROUP, INC.

ORDER

**BASED ON THE STIPULATION AND REQUEST OF THE PARTIES, IT IS
ORDERED:**

1. The parties shall notify the Court by August 11, 2009 of the status of their negotiations and closing on the Purchase and Sale Agreement. By August 11, the parties shall submit a written report to the Court regarding the status of the transaction.

Dated: August 4, 2009

/s/ John A. Mendez
JOHN A. MENDEZ
United States District Court Judge