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12  
 13 UNITED STATES DISTRICT COURT  
 14 EASTERN DISTRICT OF CALIFORNIA  
 15 SACRAMENTO DIVISION

16 SECURITIES AND EXCHANGE COMMISSION,

17 Plaintiff,

18 v.

19 DAVID A. SOUZA and D.A. SOUZA  
 20 INVESTMENTS, LLC,

21 Defendants.

Case No. 2:09-CV-02421-FCD-KJM

**SIXTH STIPULATION FOR  
 EXTENSION OF TIME TO  
 ANSWER OR OTHERWISE  
 RESPOND TO COMPLAINT AND  
 TO EXTEND DEADLINE FOR  
 FILING JOINT STATUS REPORT;  
 ORDER**

22 This stipulation between plaintiff Securities and Exchange Commission (“Commission”) and defendants David A. Souza and D.A. Souza Investments, LLC (collectively, “Defendants”), through their respective counsel, is based upon the following facts:

- 23 1. On September 18, 2009, the parties entered into a Stipulation granting Defendants two weeks’ additional time, to October 5, 2009, to answer or otherwise respond to the complaint in this action served on Defendants on August 30, 2009.
- 24 2. In order to explore settlement of this action, the parties entered into a Second Stipulation extending the time for Defendants’ response to October 13, 2009.

- 1           3.     To allow settlement negotiations to continue, the parties entered into a Third  
2           Stipulation extending the time for Defendants' response to October 19, 2009; a  
3           Fourth Stipulation extending the time for Defendants' response to October 26,  
4           2009; and a Fifth Stipulation extending the time for Defendants' response to  
5           November 2, 2009.
- 6           4.     Thereafter the Court further extended the deadline for Defendants to file their  
7           Answer or otherwise respond to the Complaint, as well as the deadline for the  
8           parties to file their Joint Status Report, to December 14, 2009.
- 9           5.     The parties have made considerable progress toward settlement and it appears  
10          likely that a provisional settlement will be reached. However, to allow the  
11          Defendants additional time to provide to the Commission certain additional  
12          information relevant to the settlement and to allow sufficient time for the  
13          Commission's internal process for settlement approval to go forward, the parties  
14          now agree, subject to the Court's approval, to further extend the deadline for  
15          Defendants to answer or otherwise respond to the Complaint to and including  
16          March 31, 2010, and additionally to request that the Court extend the deadline for  
17          filing the Joint Status Report to and including March 31, 2010.

18  
19           NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE, subject to  
20 approval by the Court, that Defendants may have a further extension to and including March 31,  
21 2010, to answer or otherwise respond to the Complaint in this action, and further request that the  
22 Court approve an extension of the deadline for filing the Joint Status Report to and including  
23 March 31, 2010.

24  
25 DATED: December 14, 2009

26           /s/ \_\_\_\_\_  
27           Roger V. Jaffe  
28           Attorney for Defendants DAVID A. SOUZA and  
              D.A. SOUZA INVESTMENTS, LLC

1 DATED: December 14, 2009

/s/ Jennifer L. Scafe

Jennifer L. Scafe

Attorney for Plaintiff

SECURITIES AND EXCHANGE COMMISSION

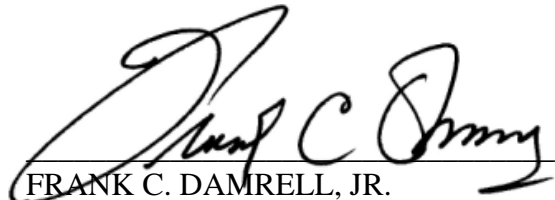
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3  
4 **ORDER**

5 **FOR GOOD CAUSE SHOWN, THE COURT HEREBY ORDERS:**

6 (1) Defendants David Souza and D.A. Souza Investments, LLC shall have a further  
7 extension of time, through and including March 31, 2010, to answer or otherwise respond to the  
8 Complaint; and

9 (2) The deadline for the parties to file the Joint Status Report in this action shall be  
10 extended through and including, March 31, 2010.

11  
12 Dated: December 16, 2009

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FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE