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 VENTRIA BIOSCIENCE, INC.

18 **UNITED STATES DISTRICT COURT**  
 19 **EASTERN DISTRICT OF CALIFORNIA**  
 20 **SACRAMENTO DIVISION**

22 ALEURONE CORPORATION  
 23 Plaintiff,  
 24 v.  
 25 VENTRIA BIOSCIENCE, INCORPORATED  
 26 Defendant.  
 27  
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Case No: 2:10-CV-00501-FCD-KJM

**THIRD STIPULATION AND ORDER TO  
 EXTEND TIME TO FILE ANSWER AND  
 TO MOVE HEARING ON PLAINTIFF'S  
 MOTION FOR A PRELIMINARY  
 INJUNCTION**

1 Defendant Ventria Bioscience, Incorporated (“Ventria”) and plaintiff Aleurone  
2 Corporation (“Aleurone”) hereby stipulate and agree as follows:

3 **WHEREAS**, Ventria’s opposition to Aleurone’s motion for a preliminary injunction is  
4 due June 1, 2010, and Ventria’s Answer is currently due June 2, 2010;

5 **WHEREAS**, a hearing on Aleurone’s motion for a preliminary injunction is currently  
6 scheduled for June 18, 2010;

7 **WHEREAS**, only two prior extensions have been sought and obtained to date by the  
8 parties as to these matters;

9 **WHEREAS**, the parties are actively engaged in settlement negotiations and believe that  
10 they are close to resolving this dispute; and

11 **WHEREAS**, the parties have met and conferred and desire to continue the hearing on  
12 Aleurone’s motion for a preliminary injunction and to extend the deadlines for the related briefs  
13 and for the filing of Ventria’s Answer;

14 **THEREFORE**, the parties stipulate and agree as follows:

15 1. The deadline for Ventria to file its Answer shall be extended to June 23, 2010 (21  
16 days);

17 2. The hearing on Aleurone’s motion for a preliminary injunction shall be continued  
18 to July 9, 2010 (21 days);

19 3. The deadline for Ventria to file its opposition to Aleurone’s motion for a  
20 preliminary injunction shall be June 25, 2010;

21 4. The deadline for Aleurone to file its reply brief in support of its motion for a  
22 preliminary injunction shall be July 2, 2010, as provided for in the Court’s rules, based upon the  
23 new hearing date; and

24 5. The parties shall promptly notify the Court if they enter into a settlement  
25 agreement.

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**IT IS SO STIPULATED**

Dated: May 27, 2010

KEKER & VAN NEST LLP

By: /s/ Matthias Kamber

JEFFREY R. CHANIN  
MATTHIAS KAMBER  
MATAN SHACHAM  
Attorneys for Defendant  
VENTRIA BIOSCIENCE, INC.

Dated: May 27, 2010

FOLEY & LARDNER LLP

By: /s/ George C. Best

(as authorized on May 27, 2010)

MICHAEL J. SONG  
GEORGE C. BEST  
MELINDA LEVITT  
Attorneys for Plaintiff  
ALEURONE CORPORATION

**IT IS SO ORDERED.**

Dated: May 27, 2010

  
FRANK C. DAMRELL, JR.

UNITED STATES DISTRICT JUDGE