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13 UNITED STATES DISTRICT COURT
 14 EASTERN DISTRICT OF CALIFORNIA

16 MVP ASSET MANAGEMENT (USA) LLC, a
 Delaware Limited Liability Company,

17 Plaintiff,

18 v.

19 STEVEN VESTBIRK, et al.,

20 Defendants.

CASE NO. 2:10-cv-02483-GEB-CMK

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE STATUS
 (PRETRIAL SCHEDULING)
 CONFERENCE**

Date: June 25, 2012
 Time: 9:00 a.m.
 Dept: Courtroom 10
 Judge: Honorable Garland E. Burrell, Jr.

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1. WHEREAS, on January 18, 2012 the Court issued an Order setting a Status (Pretrial Scheduling) Conference for June 25, 2012;

2. WHEREAS, on January 17, 2012 Plaintiff filed its Third Amended Complaint in this action which includes claims under the federal securities laws.;

3. WHEREAS, certain Specially Appearing Defendants have filed motions to dismiss the Third Amended Complaint on various grounds and said motions are scheduled for hearing on June 18, 2012;

4. WHEREAS, under PLSRA (15 U.S.C. § 78u-4(b)(3)) “all discovery and other proceedings” in this matter are stayed pending resolution of Specially Appearing Defendants’ motions to dismiss;

5. WHEREAS, Plaintiff and Specially Appearing Defendants respectfully submit that, in light of the PLSRA stay, the Court should defer consideration of all discovery and litigation deadlines until the issues identified in the motions to dismiss have been addressed by the Court, such that the case is either dismissed, or, alternatively, the pleadings resolved and the case is at issue;

6. WHEREAS, Plaintiff and Specially Appearing Defendants respectfully submit that, in light of the PLSRA stay and that a continuance of the Status (Pretrial Scheduling) Conference by approximately another sixty (60) days will conserve the resources of the parties and the Court and promote judicial economy by allowing time for the Court to address the motions to dismiss;

1 NOW, THEREFORE, Plaintiff and Specially Appearing Defendants, by and through their
2 respective counsel of record, hereby stipulate as follows:

3
4 1. That the Status (Pretrial Scheduling) Conference, presently set for June 25, 2012
5 be continued approximately 60 days to a date on or about August 27, 2012.

6 IT IS SO STIPULATED.

7 Dated: June 11, 2012

SULLIVAN JOHNSON LLP By /S/ Daniel A. Johnson
(authorized 6/11/12)

8 DANIEL A. JOHNSON
9 Attorneys for Plaintiff
MVP ASSET MANAGEMENT (USA) LLC

10 Dated: June 11, 2012

DLA PIPER LLP (US) By /S/ Todd M. Noonan
(authorized 6/11/12)

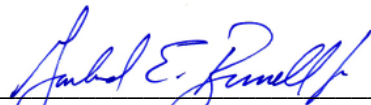
11 TODD M. NOONAN
12 Attorneys for Defendants
13 STEVEN VESTBIRK, JEFF BALLIET, ALLISON
14 HANSLIK, ARK ROYAL ASSET
15 MANAGEMENT, LTD.; VESTBIRK CAPITAL
16 MANAGEMENT, LTD.; ARK ROYAL ASSET
17 MANAGEMENT, LLC; ARK DISCOVERY, LLC;
18 ARK ROYAL HOLDINGS, LLC; ARK ROYAL
SERVICES, LLC; ARK ROYAL CAPITAL, LLC;
ARK ROYAL CAPITAL FUNDING, LLC; ARK
ROYAL CAPITAL, INC.; ARK ROYAL
RESOURCES, LLC; ARK ROYAL ASSURANCE
LLC; ARK ROYAL INVESTMENTS, LLC

19 **ORDER**

20 The Status (Pretrial Scheduling) Conference, presently set for June 25, 2012, is continued
21 to September 17, 2012. A joint status report shall be filed fourteen days prior to the hearing.

22 IT IS SO ORDERED.

23 **Date: 6/11/2012**

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25 
26 GARLAND E. BURRELL, JR.
27 United States District Judge