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5 Attorneys for Defendants  
 STEVEN VESTBIRK, JEFF BALLIET, ALLISON HANSLIK, ARK  
 6 ROYAL ASSET MANAGEMENT, LTD.; VESTBIRK CAPITAL  
 MANAGEMENT, LTD.; ARK ROYAL ASSET MANAGEMENT, LLC;  
 7 ARK DISCOVERY, LLC; ARK ROYAL HOLDINGS, LLC; ARK  
 ROYAL SERVICES, LLC; ARK ROYAL CAPITAL, LLC; ARK ROYAL  
 8 CAPITAL FUNDING, LLC; ARK ROYAL CAPITAL, INC.; ARK  
 ROYAL RESOURCES, LLC; ARK ROYAL ASSURANCE LLC; ARK  
 9 ROYAL INVESTMENTS, LLC

10 UNITED STATES DISTRICT COURT  
 11 EASTERN DISTRICT OF CALIFORNIA

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

14 Plaintiff,

15 v.

16 STEVEN VESTBIRK, et. al,

17 Defendants.

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

**STIPULATION AND ORDER  
 REGARDING BRIEFING  
 SCHEDULE FOR MOTION TO  
 DISMISS**

Date: August 8, 2013  
 Time: 9:30 a.m.  
 Dept: Courtroom 2  
 Judge: Honorable Troy L. Nunley

- 21 1. WHEREAS, Plaintiffs filed their Fifth Amended Complaint on April 15, 2013;  
 22 2. WHEREAS, named Defendants will be responding to the Fifth Amended  
 23 Complaint through a Motion to Dismiss; and;  
 24 3. WHEREAS, the parties, through their counsel, have reviewed the available law  
 25 and motion dates on the Court's calendar and agreed upon a hearing date and briefing schedule.

26 NOW, THEREFORE, the parties, through their counsel, stipulate as follows:

- 27 1. Defendants shall file and serve their moving papers on or before June 13, 2013;

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- 2. Plaintiffs shall file and serve their opposition on or before July 18, 2013;
- 3. Defendants shall file and serve their reply on or before August 1, 2013; and,
- 4. The hearing shall be noticed for August 8, 2013, at 9:30 a.m. in Courtroom 2.

IT IS SO STIPULATED.

Dated: April 26, 2013

SULLIVAN JOHNSON LLP

By /s/ DANIEL A. JOHNSON (authorized 4/26/13)  
 DANIEL A. JOHNSON  
 Attorneys for Plaintiff  
 MVP ASSET MANAGEMENT (USA) LLC

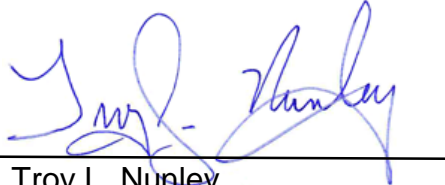
Dated: April 26, 2013

DLA PIPER LLP (US)

By /s/ TODD M. NOONAN  
 TODD M. NOONAN  
 Attorneys for Defendants  
 STEVEN VESTBIRK, JEFF BALLIET, ALLISON HANSLIK, ARK ROYAL ASSET MANAGEMENT, LTD.; VESTBIRK CAPITAL MANAGEMENT, LTD.; ARK ROYAL ASSET MANAGEMENT, LLC; ARK DISCOVERY, LLC; 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

IT IS SO ORDERED.

DATED: April 29, 2013



Troy L. Nunley  
 United States District Judge