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 a Minnesota corporation, individually and  
 14 dba Kinder Krowns, and Does 1-10

15 **UNITED STATES DISTRICT COURT**  
 16 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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18 EZ PEDO, INC., a California  
 19 corporation,

20 Plaintiff,

21 vs.

22 MAYCLIN DENTAL STUDIO, INC.,  
 a Minnesota corporation, individually  
 23 and dba KINDER KROWNS; and  
 DOES 1-10,

24 Defendants.  
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Case No. 2:16-cv-00731-KJM-CKD

**STIPULATION AND ORDER  
 EXTENDING TIME TO RESPOND  
 TO COMPLAINT TO ALLOW  
 JURISDICTIONAL DISCOVERY**

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1 Pursuant to Local Rule 144(a), all parties hereby request the Court's approval  
2 of the following stipulation extending the time for Defendant Mayclin Dental  
3 Studio, Inc. dba Kinder Crowns to file an Answer or other responsive pleading by  
4 an additional 60 days to allow the Plaintiff to conduct jurisdictional discovery:

5 **STIPULATION**

6 WHEREAS, Defendant's responsive pleading is currently due on May 18,  
7 2016;

8 WHEREAS, the parties previously stipulated to a 14-day extension allowing  
9 Defendant to file its responsive pleading by May 18, 2016;

10 WHEREAS, Defendant has indicated its intent to file a motion challenging  
11 personal jurisdiction and Plaintiff has requested the opportunity to take preliminary  
12 discovery limited to the issue of personal jurisdiction over Defendant in California;

13 WHEREAS, on May 13, 2016, counsel for the parties had a meet and confer  
14 to discuss the bases for and points of conflict of Defendant's motion;

15 WHEREAS, good cause exists for the Court to approve this stipulation so  
16 that the Court and all parties can benefit from the jurisdictional discovery prior to  
17 briefing or ruling on Defendant's proposed motion challenging personal  
18 jurisdiction;

19 NOW, THEREFORE, THE PARTIES STIPULATE AS FOLLOWS:

20 (1) The time for Defendant Mayclin Dental Studio, Inc. dba Kinder  
21 Crowns to file an answer or other responsive pleading shall be  
22 extended by an additional 65 days, with the new deadline to file a  
23 responsive pleading set for July 22, 2016;

24 (2) Plaintiff shall be entitled to conduct expedited written and deposition  
25 discovery related to the following issues:

- 26 a. Defendant's sales in California;  
27 b. Defendant's advertising and marketing activities in California or  
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- directed at California;
- c. Defendant's presence in California including for example attendance at trade shows, conferences, and other marketing events in California;
- d. Defendant's website activity including sales, marketing, and whether it has been accessed from California-based IP addresses;
- e. Defendant's shipments to California, including shipments of products, samples, promotional materials, or any other items;
- f. Defendant's business dealings with other persons or companies located in California;
- g. Defendant's business relationships and agreements with distributors or sales representatives offering or marketing Defendant's products in California;
- h. Defendant's knowledge that Plaintiff is a California-based company; and
- i. Defendant's employees' or officers' physical appearances in California for any business purpose.

(3) All confidential, financial and proprietary information of Defendant shall be subject to a stipulated protective order to be entered into by the parties pursuant to Local Rule 141.1 and 143;

(4) The following expedited discovery response deadlines shall apply to Plaintiff's jurisdictional discovery:

- a. Plaintiff's written discovery shall consist of no more than ten (10) requests for production of documents, ten (10) requests for admission and ten (10) interrogatories, which shall be served no later than fourteen (14) days after the filing of the Court's Order

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approving this Stipulation;

b. As to requests for production of documents, without waiver of Defendant's rights to object and/or assert privileges, Defendant shall serve written responses and responsive documents on Plaintiff within 21 days of receiving Plaintiff's requests for production;

c. As to requests for admission and interrogatories, without waiver of Defendant's rights to object and/or assert privileges, Defendant shall serve responses on Plaintiff within 14 days of receiving requests for admission and interrogatories.

d. The parties stipulate to accept service of the aforementioned discovery requests and discovery responses by email.

(5) Within 14 days of the date of the Court's approval of this Stipulation, Plaintiff will serve a deposition notice on Defendant and Defendant will produce its person most qualified to testify as to the jurisdictional issues outlined above at a mutually agreeable date and time, in Minneapolis, Minnesota, no later than July 18, 2016.

(6) Nothing in this Stipulation shall be construed as a waiver of any claim or defense by any party to this case.

(7) This Stipulation shall become effective only upon the filing of the Court's Order approving this Stipulation.

So stipulated.

DATED: May 16, 2016

BUCHALTER NEMER  
A Professional Corporation

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By: /s/ Paul J. Fraidenburgh  
PAUL J. FRAIDENBURGH

Attorneys for Plaintiff  
EZ PEDO, INC.

Dated: May 16, 2016

LOMMEN ABDO, P.A.

/s/ Adam P. Gislason  
Adam P. Gislason  
(As authorized in writing on 5/16/16.)

*ATTORNEYS FOR DEFENDANT  
MAYCLIN DENTAL STUDIO, INC.  
DBA KINDER KROWNS*

**ORDER**

Good cause appearing, the court GRANTS the parties' stipulation to extend the deadline to respond to the complaint to July 22, 2016 to allow jurisdictional discovery as provided for by the parties' stipulation above.

IT IS SO ORDERED.

Dated: May 18, 2016

  
UNITED STATES DISTRICT JUDGE