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7 *Attorneys for Plaintiff*

8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 SOLARMORE MANAGEMENT
12 SERVICES, INC., a California corporation,

13 Plaintiff,

14 v.

15 JEFF CARPOFF and PAULETTE
16 CARPOFF, husband and wife; LAUREN
17 CARPOFF, an individual; ROBERT V.
18 AMATO, an individual; PRISCILLA
19 AMATO, an individual; ROBERT
20 KARMANN, an individual; RONALD J.
21 ROACH, an individual; JOSEPH BAYLISS,
22 an individual; BAYLISS INNOVATIVE
23 SERVICES, INC., a California corporation;
24 ARI J. LAUER, an individual; LAW
25 OFFICES OF ARI J. LAUER; ALAN
26 HANSEN; an individual; SEBASTIAN
27 JANO, an individual; RYAN GUIDRY, an
28 individual; CARRIE CARPOFF-BODEN, an
individual; PATRICK MOORE, an
individual; HALO MANAGEMENT
SERVICES LLC, a Nevada limited liability
company; ALVAREZ & MARSAL
VALUATION SERVICES, LLC, a Delaware
limited liability company; BARRY
HACKER, an individual; MARSHALL &
STEVENS, INC., a Delaware corporation;
COHNREZNICK CAPITAL MARKETS
SECURITIES, LLC, a Maryland limited
liability company; FALLBROOK CAPITAL
SECURITIES CORPORATION, a Florida
corporation; SCOTT WENTZ, an individual;
RAINA YEE, an individual; VISTRA
INTERNATIONAL EXPANSION (USA)
INC., fka RADIUS GGE (USA), INC., fka

Case No. 2:19-cv-02544-JAM-DB

**STIPULATION FOR EXTENDING
TIME FOR DEFENDANT ALVAREZ &
MARSAL VALUATION SERVICES,
LLC TO RESPOND TO SECOND
AMENDED COMPLAINT AND ORDER**

Complaint Served: Various Dates
Response Deadline: September 13, 2021
New Response Deadline: October 15, 2021

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1 HIGH STREET PARTNERS INC., a
Maryland corporation; RADIUS GGE (USA),
2 INC., fka HIGH STREET PARTNERS INC.,
a Maryland corporation; MONTAGE
3 SERVICES, INC., a California corporation;
HERITAGE BANK OF COMMERCE, a
4 California corporation; DIANA KERSHAW,
an individual; CARSON TRAILER, INC., a
5 California corporation; DAVID ENDRES, an
individual; AHERN RENTALS INC., a
6 Nevada corporation, AHERN AD, LLC, a
Nevada limited liability company; THE
7 STRAUSS LAW FIRM, LLC, a South
Carolina limited liability company; PETER
8 STRAUSS, an individual; PANDA BEAR
INTERNATIONAL, LTD., a Hong Kong
9 corporation; PANDA SOLAR SOLUTIONS
LLC, a Nevada limited liability corporation;
10 DC SOLAR INTERNATIONAL, INC., a
Nevis corporation; BAYSHORE SELECT
11 INSURANCE, a Bahamian Corporation;
CHAMPION SELECT INSURANCE, a
12 Bahamian Corporation; JPLM DYNASTY
TRUST, a Cook Island Trust; BILLIE JEAN
13 TRUST, a Cook Island Trust; SOUTHPAC
INTERNATIONAL, INC., a Cook Islands
14 Corporation,

15 Defendants.

16
17 IT IS HEREBY STIPULATED by and between Plaintiff Solarmore Management
18 Services, Inc. (“Solarmore”) and Defendant Alvarez & Marsal Valuation Services, LLC
19 (“Defendant”) (collectively, the “Parties”), either for themselves or by and through their
20 respective counsel, that:

21 Solarmore filed its First Amended Complaint in this Court on December 18, 2020.
22 Defendant were personally served or waived service on various dates in January 21, 2021;

23 The Parties previously stipulated to extend the deadlines for the Defendants to file
24 responsive pleadings to Solarmore’s First Amended Complaint until September 13, 2021
25 and had stipulated to extended response and reply deadlines along with modest page limit
26 increases for any motion to dismiss that may be filed (*see* ECF No. 139);

1 The Court previously approved the stipulations, and Defendant’s responsive
2 pleadings are currently due September 13, 2021 (*see* ECF No. 140);

3 On April 12, 2021, Defendant Heritage Bank of Commerce filed a Motion to Dismiss
4 the First Amended Complaint (the “Heritage Bank MTD”) (*see* ECF No. 84);

5 On June 2, 2021, the Court took the Heritage Bank MTD under submission (*see* ECF
6 No. 114);

7 On July 21, 2021, the Court granted the Heritage Bank MTD, but permitted
8 Solarmore to file an amended complaint on or before August 10, 2021 (*see* ECF No. 138);

9 On August 10, 2021, Solarmore filed its Second Amended Complaint, which has
10 been provided to Defendants via the Court’s ECF service and/or by copy provided by
11 Solarmore’s counsel;

12 The Defendants agree that they have been served or agree that they now waive
13 service of the Second Amended Complaint, without waiving any other defenses;

14 Defendant has requested additional time to review and respond to the Second
15 Amended Complaint and Solarmore has agreed to extend the deadline for a responsive
16 pleading to the Second Amended Complaint until October 15, 2021;

17 The Parties, therefore, have agreed, and hereby request, that the undersigned
18 Defendant’s deadline to respond to Solarmore’s Second Amended Complaint shall be
19 extended to October 15, 2021 and that Solarmore’s deadline to respond to any motion to
20 dismiss be set at 60 days, as it previously was by this Court;

21 Additionally, given the numerous legal issues and causes of action asserted against
22 Defendant, Solarmore and Defendant have agreed to, and hereby request, a modest
23 modification of the page limits for briefing on Defendant’s motion to dismiss as follows:
24 twenty (20) pages for Defendant’s initial motion; twenty (20) pages for Solarmore’s
25 oppositions, and ten (10) pages for Defendant’s reply; and

1 Finally, the Parties have agreed that it is in the best interests of the Parties and this
2 Court that all discovery and the Rule 26(f) conference be stayed until 30 days after either
3 (a) the hearing on Defendant's motion to dismiss, or (b) the hearing date is taken off the
4 Court's calendar and the motions are deemed submitted on the papers.

5 This is the first request for an extension for Defendant to respond to the Second
6 Amended Complaint.

7 THEREFORE, pursuant to L. R. 143 and 144, the Parties hereby stipulate as follows:

8 1. The deadline for the Defendant to answer, object, or otherwise respond to
9 Solarmore Management Services, Inc.'s Second Amended Complaint shall be October 15,
10 2021. Defendant's motion brief shall be limited to twenty (20) pages;

11 2. The deadline for Solarmore to file its oppositions to Defendant's motion to
12 dismiss shall be December 15, 2021. Solarmore's oppositions shall be limited to twenty
13 (20) pages;

14 3. The deadline for Defendant to file a reply shall be January 12, 2022.
15 Defendant's reply shall be limited to ten (10) pages; and

16 4. All discovery and the Rule 26(f) conference between the Parties shall be
17 stayed until 30 days after either (a) the hearing on Defendant's motion to dismiss, or (b) the
18 hearing date is taken off the calendar and the motions are deemed submitted on the papers.

19 **IT IS SO STIPULATED.**

20 DATED: September 3, 2021

SNELL & WILMER L.L.P.

21 By: /s/Nathan G. Kanute

22 Nathan G. Kanute
23 50 W. Liberty Street, Suite 510
24 Reno, NV 89501
25 *Attorneys for Plaintiff*

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DATED: September 3, 2021

DURIE TANGRI LLP

By: /s/Henry Huttinger (with permission)
W. Henry Huttinger
953 East 3rd Street
Los Angeles, CA 90013
*Attorneys for Alvarez & Marsal Valuation
Services, LLC*

IT IS SO ORDERED.

Dated: September 7, 2021

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE

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