

STIPULATION TO EXTEND TIME TO ANSWER

Pursuant to Federal Rules of Civil Procedure 12, Local Rule 6-1, and Local Rule 6-2, Plaintiffs and Defendant hereby stipulate to extend the time within which Defendant must answer or otherwise respond to Plaintiffs' First Amended Complaint.

Plaintiffs filed the original Complaint and Petition to Confirm in this action on July 9, 2008. On or around November 2008, Defendant agreed to allow Plaintiffs' auditors to audit their records to determine whether any amounts were due and owing as a result of the audit. Plaintiffs thereafter conducted an audit of Defendant's records and found a number of delinquencies owed by Defendant. On or around February 2009, Plaintiffs submitted their audit findings to Defendant to allow Defendant the opportunity to review those results and challenge any delinquencies it believed were in error. After receiving no response from Defendant, Plaintiffs filed their First Amended Complaint for Petition to Confirm Arbitration Award, Breach of Contract, Damages, and Breach of Fiduciary Duty on May 7, 2009. On or around May 15, 2009, Plaintiffs received documentation from Defendant. On or around June 3, 2009, Plaintiffs were notified that Defendant had retained legal counsel on or around May 21, 2009. On June 4, at the request of the parties, the Court granted Defendant an extension of time to answer or otherwise respond to Plaintiffs' First Amended Complaint to July 31, 2009. The parties then exchanged additional documentation and requested a subsequent extension of time to answer or otherwise respond to Plaintiffs' First Amended Complaint until August 31, 2009.

As a result of the documentation that Defendant submitted to Plaintiffs, Plaintiffs have made adjustments to the audit worksheets. Defendant reviewed the adjusted work sheets and provided an analysis of the audit worksheets to Plaintiff. Plaintiffs and Defendant are currently engaged in additional review of the revised audit worksheets and are attempting to resolve the matter without further litigation. Accordingly, Plaintiffs and Defendant hereby respectfully request that this Court grant an additional extension of time for Defendant to answer or otherwise respond to Plaintiffs' First Amended Complaint to September 9, 2009.

The parties also agree that pursuant to Local Rule 6-1(a), this stipulation is respectfully submitted to the Court for approval without the necessity of a hearing.

1	Dated: August 3, 2009
2	WEINBERG, ROGER & ROSENFELD A Professional Corporation
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4	By: KRISTINA M. ZINNEN
5	Attorney for Plaintiffs
6	Dated: August 31, 2009
7	SEYFARTH SHAW LLP
8	By: G.DANIEL NEWLAND
9	ARI HERSHER Attorneys for Defendant
10	Attorneys for Defendant
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13	[PROPOSED] ORDER EXTENDING TIME TO ANSWER
14	Based upon the foregoing Stipulation to Extend Time to Answer or Otherwise Respond,
15	the Court grants an extension of time for Defendant to answer or otherwise respond to the
16	Complaint to September 9, 2009. In addition, the Court Orders:
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