

1 JAMES MCMANIS (40958)
 2 NEDA MANSOORIAN (207832)
 3 SHARON KIRSCH (157157)
 4 MATTHEW SCHECHTER (212003)
 5 McMANIS FAULKNER
 6 A Professional Corporation
 7 50 West San Fernando Street, 10th Floor
 8 San Jose, California 95113
 9 Telephone: 408-279-8700
 10 Facsimile: 408-279-3244

11 Attorneys for Plaintiff,
 12 SARAH KIM

13 UNITED STATES DISTRICT COURT
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 15 NORTHERN DISTRICT OF CALIFORNIA
 16
 17 SAN FRANCISCO DIVISION

18 SARAH KIM, Individually and as Successor
 19 in Interest to RICHARD D. BAE, D.D.S.,
 20 Deceased,

21 Plaintiff,

22 vs.

23 INTERDENT, INC., a Delaware
 24 corporation, a/k/a INTERDENT SERVICE
 25 CORPORATION, a Washington
 26 corporation, a/k/a GENTLE DENTAL, a/k/a
 27 MOUNTAIN VIEW DENTAL, a/k/a BLUE
 28 OAK DENTAL GROUP, a/k/a
 DEDICATED DENTAL, a/k/a
 AFFORDABLE DENTAL CARE, a/k/a
 CAPITAL DENTAL, and DOES 1-50,
 inclusive,

Defendants.

Case No. CV-08-5565-SI

**THIRD STIPULATION AND
 [PROPOSED] ORDER TO CONTINUE
 HEARING ON DEFENDANTS'
 MOTION TO DISMISS**

Date: May 15, 2009

Time: 9:00 a.m.

Dept.: Courtroom 10, 19th Floor

Judge: Honorable Susan Illston

Plaintiff, Sarah Kim, Individually and as Successor in Interest to Richard D. Bae, D.D.S.,
 Deceased (“plaintiff”), and defendants, Interdent, Inc., a Delaware corporation, a/k/a Interdent
 Service Corporation, a Washington corporation, a/k/a Gentle Dental, a/k/a Mountain View
 Dental, a/k/a Blue Oak Dental Group, a/k/a Dedicated Dental, a/k/a Affordable Dental Care, and
 a/k/a Capital Dental (collectively, “defendants”), by and through their respective attorneys of

1 record, hereby jointly request that this Court issue an order continuing the hearing on defendants'
2 Motion to Dismiss from Friday, May 15, 2009, at 9:00 a.m., to Friday, May 29, 2009, at 9:00
3 a.m.

4 The parties had previously sought, via stipulation and order, to continue the date of the
5 hearing from March 27, 2009 to April 10, 2009. This Court signed the stipulation and order and
6 continued the hearing date to April 24, 2009. Plaintiff's counsel, however, was not available on
7 April 24. The parties then submitted a stipulation and order continuing the hearing from April
8 24, 2009 to May 15, 2009. After filing the stipulation, but before receiving the signed Order
9 from the Court, James McManis, counsel for plaintiff, was unexpectedly reset for a hearing on a
10 motion for summary judgment in Santa Cruz County on May 15, 2009, at 8:30 a.m. Therefore,
11 Mr. McManis is no longer able to appear on May 15. The parties have met and conferred on this
12 matter and have agreed on May 29, 2009.

13 Given the importance of the Motion to Dismiss, and plaintiff's wish to have Mr.
14 McManis argue in opposition to the motion, the parties ask for the Court's understanding in
15 considering this request for a continuance. The parties therefore request that the Court continue
16 the hearing on the Motion to Dismiss from Friday, May 15, 2009, at 9:00 a.m., to Friday, May
17 29, 2009, at 9:00 a.m. so that it will be heard prior to the June 5, 2009, initial Case Management
18 Conference.

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21 Dated: April 10, 2009

McMANIS FAULKNER

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//s//
NEDA MANSOORIAN

24 Attorneys for Plaintiff,
25 SARAH KIM
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Dated: April 10, 2009

LEWIS BRISBOIS BISGAARD & SMITH LLP

//s//


CHARLES O. THOMPSON

Attorneys for Defendants,
INTERDENT, INC., a Delaware corporation, a/k/a
INTERDENT SERVICE CORPORATION, a
Washington corporation, a/ka GENTLE DENTAL,
a/k/a MOUNTAIN VIEW DENTAL, a/k/a BLUE
OAK DENTAL GROUP, a/k/a DEDICATED
DENTAL, a/k/a AFFORDABLE DENTAL CARE,
a/k/a CAPITAL DENTAL

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____



HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA