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10 Attorneys for Plaintiff GEM ACQUISITIONCO,  
 LLC and GEM REALTY FUND IV, L.P.

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

16 GEM ACQUISITIONCO, LLC and GEM  
 17 REALTY FUND IV, L.P.,

Case No. C 09-01484 SI

18 Plaintiffs,

**STIPULATION AND [PROPOSED] ORDER  
 TO CONTINUE HEARING DATE ON  
 DEFENDANTS' MOTION TO TRANSFER  
 VENUE TO JUNE 5, 2009**

19 v.

20 SORENSON GROUP HOLDINGS, LLC,  
 21 JAMES L. SORENSON, JOSEPH  
 SORENSON, TIMOTHY FENTON, et al.,

22 Defendants.

24 Plaintiffs GEM ACQUISITIONCO, LLC and GEM REALTY FUND IV, L.P. ("Plaintiff"),  
 25 and Defendants SORENSON GROUP HOLDINGS, LLC, JAMES L. SORENSON, JOSEPH  
 26 SORENSON, TIMOTHY FENTON (collectively "Defendants") hereby stipulate by and through  
 27 their respective counsel as follows:

28 WHEREAS, Defendants have filed a Motion to Transfer Venue to the District of Utah

1 (“Motion to Transfer”), which is pending for hearing before this Court on May 22, 2009, and

2 WHEREAS, Plaintiff has filed a Motion to Enjoin Defendants’ Prosecution of Later-Filed  
3 Utah Case (“Motion to Enjoin”), which is pending for hearing before this Court on June 5, 2009, and

4 WHEREAS, the parties have agreed that it would be in the best interest of economy and time  
5 to have the hearings considered by the Court on the same day,

6 IT IS HEREBY STIPULATED:

7 1. The hearing on the Motion to Transfer Venue be continued to June 5, 2009 at 9:00  
8 a.m. in Courtroom 10, 19<sup>th</sup> Floor of the above-entitled court;

9 2. Defendants’ Opposition to the Motion to Enjoin shall be filed on May 15, 2009, and  
10 Plaintiff’s Reply Brief shall be filed on May 22, 2009; and

11 3. Defendants’ Reply Brief to the Motion to Transfer Venue shall be filed on May 22,  
12 2009.

13  
14 Dated: May 8, 2009

GREENBERG TRAURIG, LLP

15  
16 By: /s/ William J. Goines

17 William J. Goines  
Karen Rosenthal

18 Thomas D. Brooks  
19 SPERLING & SLATER, P.C.  
(Pro Hac Vice)

20 Attorneys for Plaintiffs GEM ACQUISITIONCO,  
LLC and GEM REALTY FUND IV, L.P.

21 Dated: May 8, 2009

MORRISON & FOERSTER LLP

22  
23 By: /s/ Kenneth A. Kuwayti

24 Kenneth A. Kuwayti

25 Attorneys for Defendants Sorenson Group  
26 Holdings, LLC, James L. Sorenson, Joseph  
27 Sorenson and Timothy Fenton  
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[PROPOSED] ORDER

IT IS SO ORDERED.

Dated: \_\_\_\_\_



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Hon. Susan Illston  
Judge of the United States District Court