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9 Attorneys for Defendant
 10 DESIGNED COOKIES, INC.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

SONNENSCHN NATH & ROSENTHAL LLP
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 16 DEBORAH NORK, LEE ROBERTS and
 BAKER'S BOUQUET,

17 Plaintiffs,

18 vs.

19 DESIGNED COOKIES, INC.,

20 Defendants.

No. CV 09-5336 CRB

STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING THE HEARING
 DATE ON DESIGNED COOKIES INC.'S
 MOTION TO COMPEL ARBITRATION
 IN CALIFORNIA BEFORE THE
 AMERICAN ARBITRATION
 ASSOCIATION

Current Hearing Date: Feb. 19, 2010
 Time: 10:00 a.m.
 Courtroom No. 8

Proposed New Hearing Date: March 19, 2010
 Time: 10:00 a.m.
 Courtroom No. 8

Honorable Charles R. Breyer

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Dated: February 3, 2010

ZARCO EINHORN SALKOWSKI & BRITO, P.A.
ROBERT ZARCO, ESQ.

By: _____ /S/ Robert Zarco

Attorneys for Plaintiffs
DEBORAH NORK, LEE ROBERTS AND BAKER'S
BOUQUET

ATTESTATION CLAUSE

I attest under penalty of perjury that the concurrence in the filing of this document has been
obtained from its signatories.

By: _____ /S/ Karen C. Marchiano
KAREN C. MARCHIANO

DECLARATION OF KAREN C. MARCHIANO

I, Karen C. Marchiano, declare as follows:

1. I am an attorney at law duly admitted to practice before this Court and am an associate of the law firm of Sonnenschein Nath & Rosenthal LLP, counsel of record for Defendant Designed Cookies, Inc. (“DCI”). I make this declaration in support of the attached Stipulation and [Proposed] Order Continuing The Hearing Date On Designed Cookies Inc.’s Motion To Compel Arbitration In California before the American Arbitration Association And To Dismiss Or Stay The Action Pending Arbitration. I have personal knowledge of the matters set forth herein and could competently testify to them if called upon to do so.

2. On January 15, 2010, DCI filed a Motion To Compel Arbitration In California Before The American Arbitration Association, And To Dismiss Or Stay The Action Pending Arbitration (“Motion To Compel Arbitration”).

3 DCI’s Motion To Compel Arbitration is presently set to be heard on February 19, 2010. DCI’s Reply Brief In Support of DCI’s Motion To Compel Arbitration is due to be filed and served on Friday, February 5, 2010.

4. The parties are currently engaged in settlement discussions. The parties agree that in the interests of judicial economy, to preserve the parties’ resources, and to facilitate settlement discussions, the hearing on DCI’s Motion To Compel Arbitration should be continued to March 19, 2010, and the deadline for DCI’s Reply Brief In Support of DCI’s Motion To Compel Arbitration should be extended to March 5, 2010.

5. This is the first stipulation to modify the hearing date on DCI’s Motion To Compel Arbitration. This Court previously extended the deadline for DCI to respond to the complaint.

6. The requested extension on the hearing date will not affect the schedule for the case.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of February, 2010 in San Francisco, California.

By: /S/ Karen C. Marchiano
Karen C. Marchiano

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PROPOSED ORDER

Pursuant to the parties' stipulation and Local Rule 7-7(b) and good cause appearing, it is hereby ordered that the hearing on Designed Cookies Inc.'s Motion To Compel Arbitration In California Before The American Arbitration Association And To Dismiss Or Stay The Action Pending Arbitration shall be continued to March 19, 2010 at 10:00 a.m. in Courtroom 8. Any reply brief in support of Designed Cookies Inc.'s Motion To Compel Arbitration In California Before The American Arbitration Association And To Dismiss Or Stay The Action Pending Arbitration shall be filed and served via ECF on or before March 5, 2010.

IT IS SO ORDERED.

Dated: Feb. 4, 2010

