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DIGITAL INSIGHT CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MSHIFT, INC., a Delaware Corporation,  
  
Plaintiff,  
  
v.  
  
DIGITAL INSIGHT CORPORATION, a  
Delaware corporation, COMMUNITY  
TRUST FINANCIAL CORPORATION, a  
Louisiana corporation, and COMMUNITY  
TRUST BANK, a Louisiana corporation,  
  
Defendants.

CASE NO. C10-00710 (WHA)  
  
**STIPULATION AND [PROPOSED]  
ORDER GRANTING DEFENDANTS  
LEAVE TO FILE AMENDED ANSWERS  
AND COUNTERCLAIMS**

AND RELATED COUNTERCLAIMS

1           WHEREAS the Amended Case Management Order and Reference to Magistrate Judge for  
2 Mediation/Settlement entered on May 20, 2010 (Docket No. 69), established a deadline of  
3 May 27, 2010, for the parties to seek leave to add any new parties or pleading amendments, and

4           WHEREAS Defendants Digital Insight Corporation, Community Trust Financial  
5 Corporation, and Community Trust Bank (collectively, "Defendants") intend to seek leave to file  
6 amended answers and counterclaims to add new defenses and counterclaims, and

7           WHEREAS Plaintiff MShift, Inc. ("Plaintiff") has filed a Motion for Leave to File First  
8 Amended Complaint that will be heard by the Court on June 3, 2010, and

9           WHEREAS Defendants are opposing Plaintiff's Motion except as to Plaintiff's request to  
10 add Mobile Money Ventures as a defendant,

11           Plaintiff and Defendants hereby STIPULATE that:

12           Plaintiff will be permitted to assert the claims contained in its Counterclaims-In-Reply  
13 filed on March 29, 2010, in its First Amended Complaint and to modify the language of those  
14 claims as long as Plaintiff does not add new causes of action; and

15           Defendants will be permitted to file amended answers and counterclaims to add new  
16 defenses and counterclaims previously disclosed to MShift on May 26, 2010, in response to  
17 Plaintiff's First Amended Complaint under the normal timeframe established by the Federal  
18 Rules of Civil Procedure;

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IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: May 27, 2010

/s/ Brent Yamashita  
ANDREW VALENTINE  
BRENT YAMASHITA  
ERIK FUEHRER

Attorneys for Defendants and Counterclaimants DIGITAL  
INSIGHT CORPORATION, COMMUNITY TRUST  
FINANCIAL CORPORATION, and COMMUNITY  
TRUST BANK

DATED: May 27, 2010

/s/ Melinda Morton  
JAMES OTTESON  
DANIEL BERGESON  
MELINDA MORTON

Attorneys for Plaintiff MSHIFT, INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 17, 2010.

Honorable  
United States

