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12 Administration in its capacity as Receiver for Rocket
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17 Attorney for Defendants
18 Paul Cantwell, Melissa Baldwin, Kenneth Baldwin, Craig
Foster Heimark, Richard S. Cuccioli,
19 and Thomas Tynan

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 United States Small Business Administration in
24 its capacity as Receiver for Rocket Ventures II
SBIC, L.P.,

Case No.: CV-10-4425 JSW

25 Plaintiff,

26 **CAPTION CONTINUED ON NEXT PAGE**

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vs.

Rocket Ventures II, L.P., a California limited partnership; Rocket Ventures II CEO Fund, L.P., a California limited partnership; Rocket Ventures SBIC Partners, LLC, a Delaware limited liability company; Cordusio Societa Fiduciaria Per Azioni Lozia Federico; Kenneth W. & Melissa Baldwin; Paul Cantwell; Peter Ayrton Cheese; Yves Derville; Richard S. Cuccioli; Alistair Anderson Donald; Philippe Gire; Jean-Claude Guez; Joseph Hawes & Christopher Eyden; Alan John Healey; Craig Foster Heimark; David E. Kropp; Gregory Charles Meekings; Michele Liberato; Fred Cucchi; ValorLife; Alberto Gandini; Rijete Pty. Ltd.; Christopher Stainton; Tyna Development; Thomas Tynan; Patrice Vinet; Hahei Limited; Michel Saunier; Michel Roujansky; Nigel Backwith; Justine Lumb; Andrew Middleton; Ajmair Singh Bhullar; Estate of Grant A. Dove; Luca Casiraghi; David Mather,

Defendants.

Case No.: CV-10-4425 JSW

STIPULATION BETWEEN PLAINTIFF RECEIVER AND DEFENDANTS PAUL CANTWELL, MELISSA BALDWIN, KENNETH BALDWIN, CRAIG FOSTER HEIMARK, RICHARD S. CUCCIOLI, AND THOMAS TYNAN FOR ADDITIONAL FIFTEEN DAYS TO RESPOND TO AMENDED COMPLAINT; [~~PROPOSED~~] ORDER

Plaintiff United States Small Business Administration in its capacity as Receiver for Rocket Ventures II SBIC, L.P., (“Plaintiff Receiver”) and newly added Defendants Paul Cantwell, Melissa Baldwin, Kenneth Baldwin, Craig Foster Heimark, Richard Cuccioli and Thomas Tynan, (the “Newly Named Defendants”)¹, by and through their respective counsel of record, hereby stipulate and agree as follows:

WHEREAS,

Plaintiff Receiver filed an Amended Complaint on January 18, 2012; and

The time previously set for Newly Named Defendants to respond to the Amended Complaint has been ordered to be on or before March 21, 2012; and

The time previously set for Newly Named Defendants to respond to the Amended Complaint has been ordered to be on or before April 12, 2012; and

¹ By filing an Appearance and entering this Stipulation, the Newly Named Defendants do not waive any potential objections to personal jurisdiction or service of process.

1 The parties are currently involved in settlement discussions to resolve the claims against
2 the Newly Named Defendants; and

3 The Newly Named Defendants have requested an additional fifteen days to allow them to
4 submit a settlement proposal for review by the Receiver prior to the time they are required to
5 respond to the Amended Complaint;

6 **NOW, THEREFORE,**

7 The Plaintiff Receiver and the Newly Named Defendants hereby agree that the time for
8 the Newly Named Defendants to respond to the Amended Complaint shall be extended fifteen
9 days and the Newly Named Defendants shall have up to, and including, April 27, 2012 to
10 answer, move, or otherwise respond to the Amended Complaint.

11 **IT IS SO STIPULATED:**

12 Dated: April 11, 2012

SCHNADER HARRISON SEGAL & LEWIS LLP

13 By: /s/ T. Scott Tate
14 T. Scott Tate
15 Attorneys for Plaintiff
16 United States Small Business
17 Administration in Its Capacity as Receiver
18 for Rocket Ventures II SBIC, L.P.

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1 Dated: April 11, 2012

BRYAN CAVE LLP

2
3 By: /s/ Tracy M. Talbot

4 Tracy M. Talbot

5 Attorney for Defendants

6 Paul Cantwell, Melissa Baldwin, Kenneth Baldwin

7 Craig Foster Heimark, Richard S. Cuccioli,

8 and Thomas Tynan

9 **PROPOSED ORDER**

10 Pursuant to stipulation, IT IS SO ORDERED:

11
12 Dated: April 13, 2012

13 

14 Honorable Judge Jeffrey S. White

15 United States District Court Judge

16 Northern District of California

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