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19 Attorneys for Plaintiffs  
 20 MMR GROUP, INC.,  
 21 MMR POWER SOLUTIONS, LLC and  
 22 SOUTHWESTERN POWER GROUP II, LLC

23 UNITED STATES DISTRICT COURT  
 24 NORTHERN DISTRICT OF CALIFORNIA  
 25 SAN FRANCISCO DIVISION

26 MMR GROUP, INC.,  
 27 MMR POWER SOLUTIONS, LLC and  
 28 SOUTHWESTERN POWER GROUP II, LLC,

Plaintiffs,

vs.

STA DEVELOPMENT, LLC (F/K/A SOLAR  
 MILLENNIUM, LLC),

Defendant.

Case No. 3:11-cv-01521-EMC

**STIPULATION TO GRANT LEAVE  
 TO AMEND AND [PROPOSED]  
 ORDER**

**Current Hearing Information**

Date: October 21, 2011  
 Time: 1:30 p.m.  
 Ctrm: 5

**The Honorable Judge  
 Edward M. Chen**

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**STIPULATION**

Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and SOUTHWESTERN POWER GROUP II, LLC (collectively "MMR") and Defendant STA DEVELOPMENT, LLC (F/K/A SOLAR MILLENNIUM, LLC ("STAD")) have reached a stipulation regarding the motions set for hearing on October 21, 2011, and therefore respectfully request that the Court vacate all pending hearings and enter the following proposed order.

**APPROVED AND AGREED TO BY COUNSEL:**

Dated: September 26, 2011

**WATT, TIEDER, HOFFAR  
& FITZGERALD, LLP**

By: /s/ Bennett J. Lee  
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*Attorneys for Plaintiffs MMR Group, Inc., MMR Power Solutions, LLC and Southwestern Power Group II, LLC*

Dated: September 26, 2011

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*Attorneys for Defendant STA Development, LLC (f/k/a Solar Millennium, LLC)*

**[PROPOSED] ORDER**

Pursuant to the above stipulation and for good cause shown, IT IS HEREBY ORDERED:

1. MMR’s Motion for Leave to Amend Complaint is hereby GRANTED. MMR shall file the proposed First Amended Complaint attached as Exhibit “A” to the Declaration of Nicholas A. Merrell filed in support of its Motion for Leave to Amend Complaint within 10 calendar days of entry of this order.

2. All hearings set for October 21, 2011 are hereby vacated.

3. Upon MMR’s service of its First Amended Complaint on STA Development, LLC, Solar Trust of America, LLC, Solar Millennium, Inc., CA I-10 Solar, LLC, Palo Verde Solar I, LLC, Palo Verde Solar II, LLC, Blythe Solar Power Project Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC, Blythe Solar Power Project Unit 3, LLC and Blythe Solar Power Project Unit 4 LLC (collectively the “STAD Defendants”), the following briefing schedule shall apply with respect to the STAD Defendants:

a. STAD Defendants shall file and serve their joint Motion to Dismiss within 30 calendar days (or the first business day thereafter) after service of the First Amended Complaint;

b. MMR shall file and serve its opposition to STAD Defendants’ Motion to Dismiss within 30 calendar days (or the first business day thereafter) of service of the Motion to Dismiss; and

c. STAD Defendants shall file and serve their reply brief within 21 calendar days (or the first business day thereafter) of service of MMR’s opposition to STAD Defendants’ Motion to Dismiss.

4. Solar Millennium AG, a German corporation, is not a party to the foregoing briefing schedule. Solar Millennium AG may elect to join in the foregoing briefing schedule simply by joining in STAD Defendants’ Motion to Dismiss, in which case service of process shall be deemed waived. The case management conference is reset from 10/21/11 to 1/27/12. A joint cmc statement shall be filed by 1/20/12.

**IT IS SO ORDERED.**

Dated: 9/28/11

UNITED STATES DISTRICT COURT  
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