

THEODORA TO ORINGHER
COUNSELORS AT LAW

1 Antony Buchignani, Esq. (CA State Bar No. 186528)
 tbuchignani@tocounsel.com
 2 Stacey L. Zill, Esq. (CA State Bar No. 177268)
 szill@tocounsel.com
 3 Marc Berkemeier, Esq. (CA State Bar No. 234912)
 mberkemeier@tocounsel.com
 4 **THEODORA ORINGHER PC**
 10880 Wilshire Boulevard, Suite 1700
 5 Los Angeles, California 90024-4101
 Telephone: (310) 557-2009
 6 Facsimile: (310) 551-0283

7 Attorneys for Plaintiffs
 MPF FLAGSHIP FUND 14, LLC; MPF
 8 INCOME FUND 26, LLC; MPF
 NORTHSTAR FUND, LP; MPF
 9 FLAGSHIP FUND 15, LLC; MPF
 PLATINUM FUND, LP; COASTAL
 10 REALTY BUSINESS TRUST; CMG
 PARTNERS, LLC

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 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14 MPF FLAGSHIP FUND 14, LLC, a
 California limited liability company;
 15 MPF INCOME FUND 26, LLC, a
 California limited liability company;
 16 MPF NORTHSTAR FUND, LP, a
 California limited partnership; MPF
 17 FLAGSHIP FUND 15, LLC, a California
 limited liability company; MPF
 18 PLATINUM FUND, LP, a California
 limited partnership; and COASTAL
 19 REALTY BUSINESS TRUST, a
 California corporation,

20 Plaintiffs,

21 vs.

22 DIVIDEND CAPITAL TOTAL
 23 REALTY TRUST, INC., a Maryland
 corporation; DIVIDEND CAPITAL
 24 TOTAL ADVISORS LLC, a Delaware
 limited liability company; and DOES 1
 25 through 10, inclusive,

26 Defendants.

Case No. CV 11-5223 SC

**STIPULATION RE EXTENSION
 OF TIME TO FILE FIRST
 AMENDED COMPLAINT**

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1 This stipulation is entered into by and between the parties hereto, through
2 their respective counsel of record, based on the following facts:

3 1. WHEREAS, on October 26, 2011, Plaintiffs MPF FLAGSHIP FUND
4 14, LLC, MPF INCOME FUND 26, LLC, MPF NORTHSTAR FUND, LP, MPF
5 FLAGSHIP FUND 15, LLC, MPF PLATINUM FUND, LP, and COASTAL
6 REALTY BUSINESS TRUST (collectively "Plaintiffs") filed their Complaint
7 against defendants DIVIDEND CAPITAL TOTAL REALTY TRUST, INC. and
8 DIVIDEND CAPITAL TOTAL ADVISORS LLC (collectively "Defendants").

9 2. WHEREAS, on December 2, 2011, Defendants filed their Notice of
10 Motion and Motion to Dismiss the Complaint ("Motion").

11 3. WHEREAS, in response to Defendants' Motion, Plaintiffs intend to file
12 a First Amended Complaint.

13 4. WHEREAS, under Fed. R. Civ. P. 15(a)(1)(B), the last day for
14 Plaintiffs to file their First Amended Complaint is December 23, 2011.

15 5. WHEREAS, the parties are presently engaged in settlement discussions
16 and have reached an agreement in principle that, if consummated in a written
17 settlement agreement, will result in a complete dismissal of this case.

18 6. WHEREAS, the parties desire sufficient time to negotiate the terms of
19 a settlement agreement and dismiss the action without the need for Plaintiffs to
20 expend the time, resources, and money necessary to draft and file a First Amended
21 Complaint.

22 7. WHEREAS, this is the first stipulation by the parties to enlarge the
23 time within which Plaintiffs may file a First Amended Complaint.

24 8. WHEREAS, this Stipulation is made in good faith, in order to permit
25 the parties to negotiate the terms of a settlement agreement and dismiss the action,
26 and not for purposes of delay.

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1 9. WHEREAS, the parties now seek, subject to approval by this Court, to
2 extend the time in which Plaintiffs may file their First Amended Complaint from
3 December 23, 2011, to and including January 6, 2012.

4 NOW THEREFORE, Plaintiffs and Defendants STIPULATE and AGREE as
5 follows:

6 1. The time within which Plaintiffs may file their First Amended
7 Complaint is extended from December 23, 2011, to and including January 6, 2012

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9 DATED: December 23, 2011 THEODORA ORINGHER PC

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11 By: /s/ Antony Buchignani
12 Antony Buchignani
13 Stacey Zill
14 Attorneys for Plaintiffs
15 MPF FLAGSHIP FUND 14, LLC; MPF
16 INCOME FUND 26, LLC; MPF NORTHSTAR
17 FUND, LP; MPF FLAGSHIP FUND 15, LLC;
18 MPF PLATINUM FUND, LP; AND COASTAL
19 REALTY BUSINESS TRUST

20 DATED: December 23, 2011 DLA PIPER LLP (US)

21 By: /s/ Robert Weber
22 Perrie Weiner
23 Robert Weber
24 Attorneys for Defendants
25 DIVIDEND CAPITAL TOTAL REALTY
26 TRUST, INC. and DIVIDEND CAPITAL
27 TOTAL ADVISORS LLC

28 PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 1/3/12

Judge, United States District Court

