

E-Filed 11/18/11

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22 Attorneys for Defendants
 23 ZAAZOOM SOLUTIONS, LLC; ZAZA PAY, LLC;
 24 AUTOMATED ELECTRONIC CHECKING, INC.;
 25 MULTIECOM, LLC; AND
 26 ONLINE RESOURCE CENTER, LLC.

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18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 **AMBER KRISTI MARSH** and
 21 **STACIE EVANS**, individually and on
 22 behalf of a class of similarly situated
 23 persons,

24 Plaintiffs,

25 vs.

26 **ZAAZOOM SOLUTIONS, LLC**, *et al.*,

27 Defendants.

CLASS ACTION

Case No. 3:11-cv-05226-RS

STIPULATION AND ~~PROPOSED~~
 ORDER TO SET ASIDE DEFAULT
 ENTERED AGAINST DEFENDANTS
 MULTIECOM, LLC AND ONLINE
 RESOURCE CENTER, LLC

[F.R.Civ.P. 55(c)]

1 TO THE CLERK OF THE COURT AND TO ALL PARTIES AND THEIR
2 ATTORNEYS OF RECORD HEREIN:

3 Plaintiffs AMBER KRISTI MARSH and STACIE EVANS (“Plaintiffs”) and
4 Defendants MULTIECOM, LLC and ONLINE RESOURCE CENTER, LLC (“Defendants”)
5 hereby STIPULATE as follows:

6 1. On November 15, 2011, the Clerk of the Court entered default against
7 Defendants MultiECom, LLC and Online Resource Center, LLC [D.E. No. 26] (the
8 “Default”).

9 2. The Default was the result of mistake, inadvertence and excusable neglect
10 on the part of counsel for Defendants which were first named as Defendants in the
11 Second Amended Complaint in the above-captioned action.

12 2. Plaintiffs will not be prejudiced by setting aside the Default and the Default
13 was not the result of bad faith.

14 3. Plaintiffs and Defendants therefore stipulate and request that the Court set
15 aside the Default pursuant to Federal Rule of Civil Procedure 55(c).

16 **IT IS SO STIPULATED.**

17
18 DATED: November 18, 2011

DATED: November 18, 2011

19
20 KRONENBERGER ROSENFELD, LLP

DENNIS A. WINSTON A PROFESSIONAL
LAW CORPORATION

21
22 By: s/Jeffrey M. Rosenfeld
23 Jeffrey M. Rosenfeld

By: s/ Dennis A. Winston
Dennis A. Winston

24 Attorneys for Plaintiffs

Attorney for Defendants Zaazoom
Solutions, LLC; Zaza Pay LLC, Automated
Electronic Checking, Inc, Multiecom, LLC
and Online Resource Center, LLC

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~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that pursuant to Federal Rule of Civil Procedure 55(c), the defaults entered against Defendants Multicom, LLC and Online Resource Center, LLC, [D.E. No. 26], are hereby set aside.

IT IS HEREBY FURTHER ORDERED that Defendants Multicom, LLC and Online Resource Center, LLC shall file a responsive pleading or motion within five (5) days of this Order.

Dated: November 18, 2011



THE HON. RICHARD SEEBORG
United States District Court Judge

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to the General Order No. 45, section 45 X(B), for The United States District Court for the Northern District of California, I, Jeffrey M. Rosenfeld, hereby attest that the concurrence to the filing of the foregoing stipulation has been obtained from Dennis A. Winston who has provided the conformed signature above.