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28 Attorneys for Defendants/Counter-Plaintiffs
 29 MILITARY ORDER OF THE PURPLE
 30 HEART OF THE UNITED STATES OF
 31 AMERICA, INC.; and MILITARY ORDER OF
 32 THE PURPLE HEART SERVICE
 33 FOUNDATION, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

34 PURPLE HEART PATIENT CENTER,
 35 INC., a California corporation,
 36
 37 Plaintiff,

Case No. 3:13-cv-00902-WHA

38 STIPULATION AND [PROPOSED] ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO
 39 ANSWER; CASE NO. 3:13-cv-00902-WHA
 40 -1-

v.

MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INC., a United States federally chartered corporation; and MILITARY ORDER OF THE PURPLE HEART SERVICE FOUNDATION, INC., a Wisconsin corporation,

Defendants.

STIPULATION AND [PROPOSED] ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO ANSWER

AND RELATED COUNTERCLAIMS.

Plaintiff/counter-defendant Purple Heart Patient Center, Inc. (“Plaintiff”) and Defendants and counter-plaintiffs Military Order of the Purple Heart of the United States of America, Inc. and Military Order of the Purple Heart Service Foundation, Inc. (collectively, “Defendants”), by and through their respective undersigned counsel, stipulate and agree as follows:

WHEREAS Defendants agree pursuant to Fed. R. Civ. P. 15(a)(2) that Plaintiff may file its proposed First Amended Complaint, a copy of which is attached hereto as Exhibit A;

WHEREAS Plaintiff agrees to withdraw its pending Motion For Order Granting Leave To File Amended Complaint (the “Motion”; *see* Dkt. 36), filed on June 19, 2013; and

WHEREAS Plaintiff agrees that Defendants may have up to and including August 14, 2013 to file their answer or other response to Plaintiff’s First Amended Complaint;

THEREFORE, the parties hereby agree and stipulate that, subject to the Court’s entry of an order approving this Stipulation, Plaintiff will withdraw its pending Motion, Plaintiff’s First Amended Complaint will be deemed filed and served upon Defendants as of the date of entry of

STIPULATION AND [PROPOSED] ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO ANSWER; CASE NO. 3:13-cv-00902-WHA

1 the Order on this Stipulation, and Defendants' responsive pleading to the First Amended
2 Complaint must be filed with the Court and served upon Plaintiff on or before August 14, 2013.

3 Dated: July 2, 2013.

QUARLES & BRADY LLP

4 By: /s/ Jennifer S. Coleman

5 David R. Cross
6 Johanna M. Wilbert

7 John V. Picone III
8 Jennifer S. Coleman
9 HOPKINS & CARLEY

10 Richard Kovelant
11 KOVELANT LAW OFFICES LLC

12 Attorneys for Defendants/Counter-
13 Plaintiffs
14 MILITARY ORDER OF THE PURPLE
15 HEART OF THE UNITED STATES OF
16 AMERICA, INC.; and MILITARY
17 ORDER OF THE PURPLE HEART
18 SERVICE FOUNDATION, INC.

19 Dated: July 2, 2013

DONAHUE GALLAGHER WOODS LLP

20 By: /s/ Eric A. Handler

21 Steven K. Lee
22 Eric A. Handler
23 Daniel J. Schacht

24 Attorneys for Plaintiff/Counter-Defendant
25 PURPLE HEART PATIENT CENTER,
26 INC.

27 **FILER'S ATTESTATION**

28 Pursuant to Local Rule 5-1(i)(3), I hereby certify that I have obtained the concurrence in
29 the filing of this document from all signatories for whom a signature is indicated by a
30 "conformed" signature (/s/) within this electronically filed document and I have on file records to
31 support this concurrence for subsequent production to the Court if so ordered or for inspection

32 STIPULATION AND [PROPOSED] ORDER TO AMEND COMPLAINT AND TO EXTEND TIME TO
33 ANSWER; CASE NO. 3:13-cv-00902-WHA

upon request.

Dated: July 2, 2013

HOPKINS & CARLEY
A Law Corporation

By: /s/ Jennifer S. Coleman

Jennifer S. Coleman
Attorneys for Defendants/Counter-
Plaintiffs
MILITARY ORDER OF THE PURPLE
HEART OF THE UNITED STATES OF
AMERICA, INC.; and MILITARY
ORDER OF THE PURPLE HEART
SERVICE FOUNDATION, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 3, 2013.



HONORABLE WILLIAM H. ALSUP