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 REARDEN, LLC, REARDEN MOVA,
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26 **UNITED STATES DISTRICT COURT**
 27 **NORTHERN DISTRICT OF CALIFORNIA**
 28 **SAN FRANCISCO DIVISION**

SHENZHENSHI HAITIECHENG SCIENCE
 AND TECHNOLOGY CO., LTD.,
 Plaintiff,

v.

REARDEN LLC, REARDEN MOVA, LLC,
 MO2, LLC, and MOVA, LLC,

Defendants.

AND RELATED COUNTERCLAIMS.

Case No. 3:15-cv-00797-JST (SK)

**STIPULATION AND [PROPOSED]
 ORDER WITHDRAWING MOTION
 TO DISMISS FILED BY NON-PARTY
 VIRTUE GLOBAL HOLDINGS
 LIMITED (D.I. 279) AND DEFINING
 OPERATIVE PLEADINGS**

1 Plaintiff and Counterclaim Defendant Shenzhenshi Haitiecheng Science and Technology
2 Co., Ltd. (“SHST”), Non-Party Virtue Global Holdings Limited (“VGH”), and Defendants and
3 Counterclaim Plaintiffs Rearden, LLC, Rearden Mova, LLC, MO2, LLC, and MOVA, LLC
4 (collectively “Defendants”), by and through their respective counsel of record, in light of this
5 Court’s Order that “VGH is no longer a party to this case” (D.I. 282) hereby stipulate and agree
6 as follows:

7 1. VGH withdraws VGH’s Motion to Dismiss Defendants’ Fraudulent Transfer
8 Counterclaim (D.I. 279). This withdrawal is without prejudice to re-filing if Defendants bring a
9 fraudulent transfer claim or counterclaim against VGH.

10 2. D.I. 100, Defendants’ Answer and Amended Counterclaims filed against SHST
11 (originally filed in redacted form as D.I. 95 on March 18, 2016) are the operative counterclaims
12 in this matter.

13 3. D.I. 111, “Answer to Ownership Allegations in Amended Counterclaim,” is the
14 operative response to the unstayed operative counterclaims as to SHST only. It is deemed not a
15 response to D.I. 95/100 on behalf of VGH.

16 4. This stipulation and agreement does not alter any rights of SHST.

17
18 SHST, VGH, and Defendants respectfully request an order pursuant to this stipulation.
19

20
21 Dated: September 2, 2016

KILPATRICK TOWNSEND & STOCKTON LLP

22
23 By: /s/ Benjamin M. Kleinman-Green
24 BENJAMIN M. KLEINMAN-GREEN
25 Attorneys for Plaintiff and Counterclaim Defendant
26 SHENZHENSHI HAITIECHENG SCIENCE AND
27 TECHNOLOGY CO., LTD. and Non-Party
28 VIRTUE GLOBAL HOLDINGS LIMITED

1 Dated: September 2, 2016

TURNER BOYD LLP

2 By: /s/ Karen I. Boyd

KAREN I. BOYD

3 Attorneys for Defendants

4 REARDEN, LLC, REARDEN MOVA, LLC,

MO2, LLC, and MOVA, LLC

5
6 **ATTESTATION REGARDING SIGNATURES**

7 Pursuant to Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury
8 that I have on file permission to sign for VGH and SHST's counsel indicated by a conformed
signature within this e-filed document.

9 /s/ Karen I. Boyd

10 Karen I. Boyd

11
12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

13
14
15 Dated: September 6, 2016

16 
17 THE HONORABLE JON. S. TIGAR
18 UNITED STATES DISTRICT COURT