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 7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 SAN FRANCISCO DIVISION

11  
 12 SECURITIES AND EXCHANGE COMMISSION,  
 13 Plaintiff,

14 v.

15 ERIK K. BARDMAN,

16 and

17 JENNIFER F. WOLF,

18 Defendants.

**STIPULATION AND ~~PROPOSED~~  
 ORDER EXTENDING TIME FOR  
 DEFENDANT JENNIFER F. WOLF  
 TO ANSWER AMENDED  
 COMPLAINT**

Case No. 3:16-cv-02023 (JST)

Judge: Hon. Jon S. Tigar

1           WHEREAS, on April 18, 2016, plaintiff Securities and Exchange Commission  
2 (“Plaintiff”) filed a complaint in the above-captioned action (the “Complaint”) asserting claims  
3 against defendants Erik K. Bardman and Jennifer F. Wolf (“Defendants”);

4           WHEREAS, on October 27, 2016, the Court entered an Order Granting In Part And  
5 Denying In Part Defendants’ Motions To Dismiss (Dkt. No. 34);

6           WHEREAS, on November 28, 2016, Plaintiff filed an amended complaint (now  
7 titled, “Amended Complaint”) (Dkt. Nos. 39 and 42);

8           WHEREAS, Defendants, pursuant to a stipulation by the parties and the Court’s  
9 order, were required to answer or otherwise respond to the Amended Complaint by December 28,  
10 2016 (Dkt. No. 41);

11           WHEREAS, on December 14, 2016, Plaintiff and Defendant Wolf stipulated and  
12 requested that the Court enter a proposed order allowing Defendant Wolf to answer the Amended  
13 Complaint, pursuant to applicable rules of procedure or Court order, after the Court’s final ruling on  
14 a then-anticipated second motion to dismiss the Amended Complaint by Defendant Bardman (Dkt.  
15 No. 43);

16           WHEREAS, Defendant Wolf sought to delay her answer to the Amended Complaint  
17 until after the Court’s final ruling on Defendant’s Bardman’s second motion to dismiss in order to  
18 avoid the potential expense of being required to amend her answer if the Amended Complaint were  
19 later modified in light of the outcome of the second motion to dismiss;

20           WHEREAS, on December 28, 2016, Defendant Bardman moved to dismiss the  
21 Tenth Claim for Relief in the Amended Complaint (Dkt. No. 44, 45);

22           WHEREAS, on January 11, 2017, Plaintiff filed its opposition to Defendant  
23 Bardman’s second motion to dismiss (Dkt. No. 46);

24           WHEREAS, on January 13, 2017, the Court denied Defendant’s Wolf’s request to  
25 delay her answer to the Amended Complaint until after the Court’s final ruling on Defendant’s  
26 Bardman’s second motion to dismiss (Dkt. No. 47);

27           WHEREAS, Plaintiff and Defendant Wolf have agreed that Defendant Wolf’s time  
28 to answer the Amended Complaint may be extended as follows;

1 IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for  
2 Plaintiff and the attorneys for Defendant Wolf, as follows:

3 1. Defendant Wolf shall answer the Amended Complaint no later than January  
4 23, 2017.

5 There have been two requests for an extension of time for Defendant Wolf  
6 previously made with respect to the Amended Complaint.

7  
8 Dated: January 17, 2017

**SECURITIES AND EXCHANGE COMMISSION**

9  
10 By:           /s/ Paul W. Kisslinger            
          Paul W. Kisslinger

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*Attorneys for Plaintiff Securities and Exchange Commission*

19  
20 Dated: January 17, 2017

**KANE+KIMBALL LLP**

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          William H. Kimball

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*Attorneys for Defendant Jennifer F. Wolf*

**ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))**

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each signatory.

Dated: January 17, 2017

**KANE+KIMBALL LLP**

By:                   /s/ William H. Kimball                    
William H. Kimball

*Attorneys for Defendant Jennifer F. Wolf*

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**IT IS SO ORDERED.**

Dated: January 17, 2017

  
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Hon. Jonathan S. Tigar  
United States District Judge