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5 Attorneys for All Defendants
 GENERAL CAPACITOR CO. LIMITED., JIANPING
 6 ZHENG aka JIM ZHENG, GENERAL CAPACITOR
 INTERNATIONAL, INC., GENERAL CAPACITOR,
 7 LLC.

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

11 ENERTRODE, INC.

12 Plaintiff,

13 v.

14 GENERAL CAPACITOR CO. LIMITED.,
 15 JIANPING ZHENG aka JIM ZHENG, GENERAL
 CAPACITOR INTERNATIONAL, INC.,
 16 GENERAL CAPACITOR, LLC, AND DOES 1-100.

17 Defendants.

CASE NO. 4:16-cv-02458 HSG

STIPULATION AND ORDER TO
 EXTEND TIME TO RESPOND TO
 COMPLAINT

19
 20 Pursuant to Local Rule 6-2, the parties in this case, EnerTrode, Inc. (“Plaintiff”) and
 21 General Capacitor Co. Limited., Jianping Zheng aka Jim Zheng, General Capacitor International,
 22 Inc., General Capacitor, LLC (together, “Defendants”) submit this stipulation to extend until
 23 January 23, 2017 the time for Defendants to respond to the complaint in this action.

24 WHEREAS this action was originally filed in Alameda County Superior Court on March
 25 25, 2016, and was removed to this Court on May 5, 2016 (Dkt. No. 1);

26 WHEREAS on May 5, 2016, Defendants filed a separate action against Linda Zhong
 27 (“Zhong”) a former employee and president of EnterTrode, Inc., the Plaintiff in the present

1 action (Dkt. No. 1, Case No. 16-265, filed May, 5, 2016 (N.D. Fla.) (the “Florida Action”);

2 WHEREAS on May 12, 2016, Defendants filed a Motion to Dismiss for Lack of
3 Jurisdiction or Transfer Venue (Dkt. No. 10) in this Court, which was denied on December 29,
4 2016 (Dkt. No.29).

5 WHEREAS on May 25, 2016, Zhong (the defendant in the Florida Action), filed a motion
6 to transfer the Florida Action to this District (Florida Action, Dkt. No. 4);

7 WHEREAS on January 12, 2017, the Florida court issued an order transferring the Florida
8 Action to this District (Florida Action, Dkt. No. 29);

9 WHEREAS under Fed. R. Civ. Proc. 12(a)(4), Defendants must file a response to
10 Plaintiff’s complaint in this action within fourteen (14) days from this Court’s ruling at Dkt. No.
11 29;

12 WHEREAS Defendants request the Extension on the grounds that the ruling by the court in
13 the Florida Action makes ripe Defendants’ intent to seek consolidation of the Florida Action with
14 the within action. (Declaration of Perry J. Narancic ISO Stipulation to Extend Time for
15 Defendants to Respond to Complaint (“Narancic Decl.”); ¶ 9).

16 WHEREAS such a consolidation would advance judicial efficiency by having all related
17 claims between the Plaintiff, Defendants and Zhong resolved in a single proceeding;

18 WHEREAS Plaintiff’s counsel has agreed to stipulate such a proposed consolidation (*Id.*);

19 WHEREAS the Extension would permit Defendants to consider the content of their
20 response, while the Court considers the parties’ forthcoming stipulation for consolidation;

21 WHEREAS the content of such a responses may change, depending on whether the Court
22 grants the parties’ planned stipulation for consolidation (*Id.*);

23 WHEREAS Plaintiff intends to file the consolidation stipulation on January 17, 2017,
24 together with the parties’ Joint Case Management Statement;

25 WHEREAS Plaintiff’s counsel does not oppose the Extension and has concurred in the
26 filing of this stipulation;

1 WHEREAS the Extension will not alter the date of any event or any deadline already fixed
2 by Court order. Nor will the Extension have any effect on the schedule of this case, since the
3 Court has set a case management hearing on January 24, 2017 to consider a case schedule
4 (Narancic Decl., ¶ 11);

5 WHEREAS the only other request for changing time made by the parties has been a request
6 to extend time to conduct mediation (Dkt. No. 26), which was granted by the Court (Dkt. No. 28).
7 The parties will participate in mediation on Feb. 2, 2016 (Narancic Decl., P12).

8
9 NOW THEREFORE, the parties respectfully request that this Court order that the
10 deadline for Defendants to respond to Plaintiff's complaint is extended through January 23,
11 2017.

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13 IT IS SO STIPULATED.

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Dated: January 12, 2017

/s/ Perry J. Narancic

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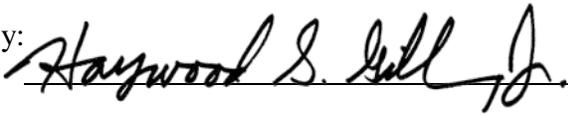
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ORDER

GOOD CAUSE appearing therefore, the deadline for Defendants to respond to Plaintiff's complaint is extended through January 23, 2017.

IT IS SO ORDERED.

DATE: January 18, 2017

By:  _____

Hon. Haywood S. Gilliam, Jr.
United States District Judge

ATTESTATION

I, Perry J. Narancic, am the ECF user whose ID and password are being used to file this document. In compliance with Local Rule 5-1(i)(3), I hereby attest that all signatories hereto have concurred in this filing.

Dated: January 12, 2017

/s/ Perry J. Narancic

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