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7 Primarius China Fund LP; Primarius Focus, LP;
Primarius Partners LP and Primarius Offshore
8 Partners Ltd

9
10 **UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **OAKLAND DIVISION**

13
14 PRIMARIUS CAPITAL LLC;
15 PRIMARIUS CHINA FUND LP;
16 PRIMARIUS FOCUS LP;
17 PRIMARIUS PARTNERS LP; and
18 PRIMARIUS OFFSHORE
19 PARTNERS LTD.

20 Plaintiffs,

21 and

22 JAYHAWK CAPITAL
23 MANAGEMENT, LLC; JAYHAWK
24 CHINA FUND (CAYMAN), LTD.;
25 JAYHAWK INVESTMENTS, LP;
26 JAYHAWK INSTITUTIONAL
27 PARTNERS, LP; KENT C.
28 MCCARTHY,

Defendants.

) Case No. 4:07-cv-01804 (CW)

) **STIPULATION AND ORDER**
) **CONTINUING CASE**
) **MANAGEMENT**
) **CONFERENCE [CORRECTED]**

) **Ctrm: 2, 4th Floor**

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Dated: 01/30/09

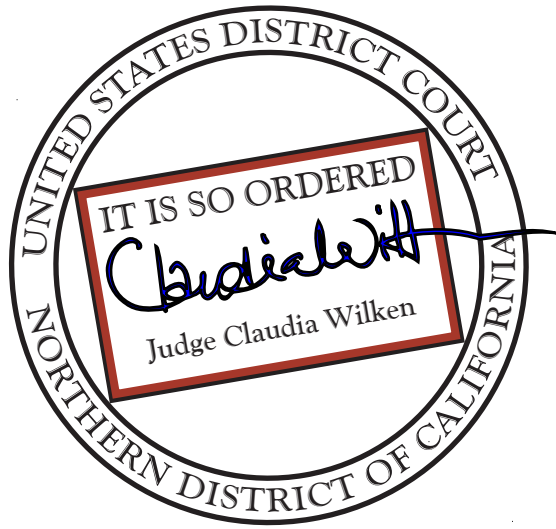
SHOOK, HARDY BACON LLP

By: *Sara S. Tropea* for
Sara S. Tropea, Esq.
Attorneys for Respondents, Jayhawk
Capital Management LLC, Jayhawk
China Fund (Cayman), Ltd., and
Jayhawk Investments LP, Jayhawk
Institutional Partners, LP and Kent
McCarthy

Dated: 01/30/09

FAGELBAUM & HELLER LLP

By: s/s Philip Heller
Philip Heller, PLC
Attorneys for Claimants, Primarius
Capital LLC; Primarius China Fund LP;
Primarius Focus LP; Primarius Partners
LP and Primarius Offshore Partners
Ltd.



1 **PROOF OF SERVICE**

2 (Case No. C 07-01804 (CW))

3 STATE OF CALIFORNIA)
4 COUNTY OF LOS ANGELES) ss

5 I am employed in the County of Los Angeles, State of California. I am over the age of
6 18 and not a party to the within action; my business address is 2049 Century Park East, Suite
4250, Los Angeles, California 90067.

7 On January 30, 2009, served the foregoing document described as [**Corrected**]
8 **Stipulation and [Proposed] Order** by placing a copy thereof enclosed in sealed envelopes
addressed as follows:

9 *[See Attached Service List]*

10
11 BY U.S. MAIL - I deposited such envelope(s) in the mail at Los Angeles, California. The
12 envelope was mailed with postage thereon fully prepaid as follows: I am readily familiar with
13 this firm's practice of collection and processing correspondence for mailing. Under the practice
14 it would be deposited with the U.S. Postal Service on the same day with postage thereon fully
prepaid at Los Angeles, California in the ordinary cause of business. I am aware that on motion
of the party served, service is presumed invalid if postal cancellation date or postage meter date
is more than one day after date of deposit for mailing in affidavit

15 BY FEDERAL EXPRESS - I deposited such envelope in the drop box at Los Angeles,
16 California. I am readily familiar with this firm's practice of collection and processing
17 correspondence for Federal Express. Under the practice it would be deposited in the Federal
Express drop-box for pickup on the same day at Los Angeles, California in the ordinary cause
of business.

18 BY FACSIMILE - I caused such a document to be sent via facsimile to the appropriate
19 facsimile number(s) for the addressee(s) below, at or about _____ .m. from (310) 286-7086, and
received confirmation that the fax transmission was successfully completed.

20 BY PERSONAL SERVICE - I caused such an envelope to be hand delivered to the office of
the addressee.

21 [State] I declare under penalty of perjury under the laws of the State of California that the
22 above is true and correct.

23 [Federal] I declare that I am in the office of a member of the bar of this court at whose
direction the service was made.

24 Executed on January 30, 2009 at Los Angeles, California.

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26 _____
27 Zorina Shah-Sohl
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SERVICE LIST

[Case No. C07-01804 (CW)]

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