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10 ATTORNEYS FOR DEFENDANT
 11 PARON CAPITAL MANAGEMENT, LLC

12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 14 **OAKLAND DIVISION**

15 UNITED STATES COMMODITY FUTURES)
 16 TRADING COMMISSION,)
 17 Plaintiff,)

Case No. C 11-04577 CW

18 vs.)

19 PARON CAPITAL MANAGEMENT, LLC, and)
 20 JAMES D. CROMBIE,)
 21 Defendants.)

**STIPULATION AND [PROPOSED]
 ORDER EXTENDING DEFENDANT
 PARON CAPITAL MANAGEMENT,
 LLC'S DEADLINE TO ANSWER OR
 FILE RESPONSIVE PLEADING TO
 THE COMPLAINT**

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 Case No. C 11-04577 CW

STIPULATION AND [PROPOSED] ORDER

1 Whereas, the deadline for Defendant Paron Capital Management, LLC (“Paron”) to answer
2 or file a responsive pleading to the complaint in this matter is January 11, 2012;

3 Whereas, Plaintiff U.S. Commodity Futures Trading Commission (“CFTC”) and Paron are
4 engaged in settlement discussions that may obviate the need to respond to the complaint;

5 Whereas, the CFTC and Paron seek a thirty (30) day extension to further explore
6 settlement;

7 Whereas Paron and proposed third party defendants Peter McConnon and Timothy Lyons
8 are all plaintiffs in an action entitled *Paron Capital Management, LLC et al. v. James D. Crombie*,
9 Case No. 6380-CVP (Del. Ch. Ct.) (the “Delaware Litigation”);

10 Whereas the parties in the Delaware litigation anticipate the Chancery Court to issue a final
11 judgment after having tried the matter in October 2011;

12 Whereas the parties in the Delaware litigation anticipate the Chancery Court will issue the
13 final judgment on or before January 31, 2012;

14 Whereas Paron and Messrs. McConnon and Lyons believe the final judgment will be res
15 judicata on Defendant James D. Crombie’s (“Crombie”) third party complaint and Crombie’s
16 claims and defenses *viz* the CFTC complaint; and

17 Whereas at the case management conference held on January 4, 2012, the Court set a
18 deadline of February 16, 2012, for Messrs. McConnon and Lyons to file a motion to dismiss or
19 other responsive pleading to Crombie’s third party complaint.

20 Therefore, the CFTC and Paron stipulate and agree, and ask the Court to order, that the
21 deadline for Paron to respond to the complaint is extended up to and including February 16, 2012.

22 IT IS SO STIPULATED.

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