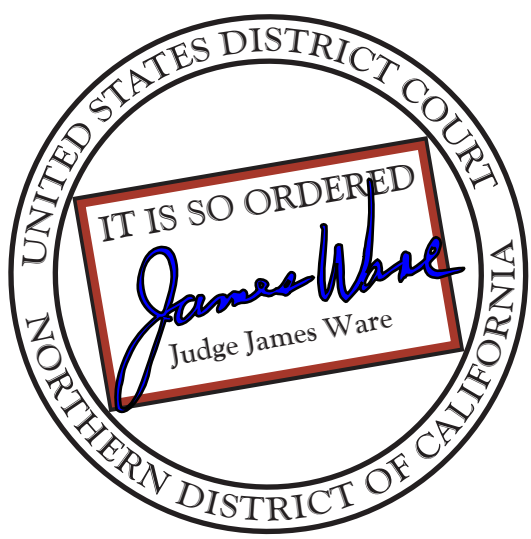


1 MATTHEW G. BALL (SBN 208881)  
 K&L GATES LLP  
 2 4 Embarcadero Center, Suite 1200  
 San Francisco, CA 94111  
 3 Telephone: (415) 882-8200  
 Facsimile: (415) 882-8220  
 4 E-mail: matthew.ball@klgates.com

5 MARTIN D. TECKLER (*Pro Hac Vice*)  
 K&L GATES LLP  
 6 1601 K Street, NW  
 Washington, DC 20006-1600  
 7 Telephone: (202) 778-9000  
 Facsimile: (202) 778-9100  
 8 E-mail: martin.teckler@klgates.com

9 Attorneys for Third Party Plaintiff  
 REDLEAF GROUP, INC.

10 [Additional Counsel Listed on Signature Page]



12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

15 UNITED STATES SMALL BUSINESS  
 ADMINISTRATION IN ITS CAPACITY AS  
 16 RECEIVER FOR ASPEN VENTURES III, L.P.,

17 Plaintiff,

18 v.

19 REDLEAF GROUP, INC.,

20 Defendants.

21 REDLEAF GROUP, INC.,

22 Third Party Plaintiff,

23 v.

24 ASPEN VENTURES MANAGEMENT III,  
 LLC, a Delaware Limited Liability Company,  
 25 ALEXANDER P. CILENTO, a California  
 resident, and DAVID CROCKETT, a California  
 26 resident, and DOES 1-10,

27 Third Party Defendants.

Case No. C07-05350 JW PVT

**STIPULATION OF VOLUNTARY  
 DISMISSAL WITH PREJUDICE OF  
 THIRD-PARTY DEFENDANT ASPEN  
 VENTURES MANAGEMENT III AND  
 [PROPOSED] ORDER**

1 Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 66, Defendant and Third  
2 Party Plaintiff Redleaf Group, Inc., Plaintiff the United States Small Business Administration in  
3 its capacity as Receiver for Aspen Ventures III, L.P., Third Party Defendants Aspen Ventures  
4 Management III, LLC, Alexander P. Cilento, and David Crockett hereby agree and stipulate that  
5 Third Party Defendant Aspen Ventures Management III, LLC is dismissed with prejudice from the  
6 above-captioned action.

7  
8 Dated: April 29, 2009

K&L GATES LLP

9  
10 By: \_\_\_\_\_ /s/ Matthew G. Ball

11 Matthew G. Ball  
12 Attorneys for Defendant and Third Party  
13 Plaintiff Redleaf Group, Inc.

14  
15 Dated: April 29, 2009

COBLENTZ, PATCH, DUFFY & BASS, LLP

16  
17 By: \_\_\_\_\_ /s/

18 William H. Orrick, III  
19 Attorneys for Third Party Defendant  
20 Aspen Ventures Management III, LLC

21  
22 Dated: April 29, 2009

SCHNADER HARRISON SEGAL & LEWIS LLP

23  
24 By: \_\_\_\_\_ /s/

25 Gregory C. Nuti  
26 Attorneys for Plaintiff, the United States  
27 Small Business Administration in its  
28 capacity as Receiver for Aspen Ventures III,  
L.P.

1 Dated: April 29, 2009

TAYLOR & COMPANY LAW OFFICES, LLP

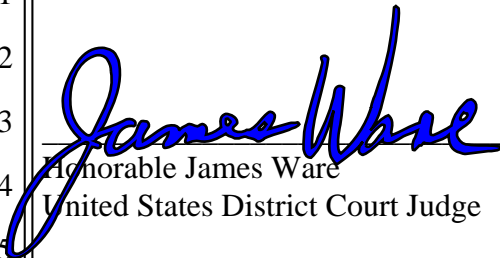
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: \_\_\_\_\_ /s/ \_\_\_\_\_

Jessica L. Grant  
Attorneys for Third Party Defendants  
David Crockett and Alexander Cilento

**PURSUANT TO THE STIPULATION, IT IS SO ORDERED.**

Dated: May 12, 2009

  
\_\_\_\_\_  
Honorable James Ware  
United States District Court Judge