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DMB ERSB LLC
6 and Cross-Defendants
DMB REALCO, LLC, DMB COMMUNITIES, LLC,
7 and DMB COMMUNITIES II, LLC



12/9/2009

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11 DMB ERSB LLC, an Arizona limited liability
company,

12 Plaintiff,

13 v.

14 LONGWOOD SAN BENITO LLC, a
California limited liability company,

15 Defendant.

16 and

17 EL RANCHO SAN BENITO LLC, a
Delaware limited liability company,

18 Nominal Defendant.

20 LONGWOOD SAN BENITO LLC, a
California limited liability company,

21 Cross-Complainant,

22 v.

23 DMB REALCO, LLC, an Arizona limited
liability company, DMB COMMUNITIES
24 LLC, an Arizona limited liability company,
DMB COMMUNITIES II LLC, an Arizona
25 limited liability company, DMB ERSB LLC,
an Arizona limited liability company, and
26 DOES 1-50,

27 Cross-Defendants.

Case No. CV 09-02003 JW

**STIPULATION EXTENDING TIME FOR
NOMINAL DEFENDANT EL RANCHO
SAN BENITO LLC TO RESPOND TO
COMPLAINT**

(N.D. CAL. CIV. L.R. 6-1(a))

**STIPULATION EXTENDING TIME FOR NOMINAL DEFENDANT
EL RANCHO SAN BENITO TO RESPOND TO COMPLAINT
(N.D. CAL. CIV. L.R. 6-1(a))**

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Pursuant to the Northern District of California’s Civil Local Rule 6-1(a), and without either party admitting that the other is the Managing Member of Nominal Defendant EL RANCHO SAN BENITO LLC ("ERSB"), **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff and Cross-Defendant DMB ERSB LLC (“DMB ERSB”) and Defendant and Cross-Complainant LONGWOOD SAN BENITO LLC (“Longwood”), on behalf of themselves and with respect to their respective positions and interests as the only members in ERSB, and by and through their undersigned counsel, that ERSB’s time to answer, move against, or otherwise respond to DMB ERSB’s Complaint (filed on May 6, 2009 [Docket No. 1] and served on ERSB on Aug. 21, 2009 [Docket No. 15]) is hereby extended up to and including **February 1, 2010**.

IT IS SO STIPULATED.

DATED: December 7, 2009 COBLENTZ, PATCH, DUFFY & BASS LLP

By: /s/ Richard R. Patch
Richard R. Patch
Attorney for Plaintiff and Cross-Defendant
DMB ERSB LLC
and Cross-Defendants
DMB REALCO, LLC, DMB COMMUNITIES,
LLC, and DMB COMMUNITIES II, LLC

DATED: December 7, 2009 DLA PIPER LLP (US)

By: _____
William J. Frimel
Margaret A. Crawford
Attorneys for Defendant and Cross-Complainant
LONGWOOD SAN BENITO LLC

