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E-FILED - 1/26/10

18 Attorneys for Receiver Robb Evans LLC

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

FEDERAL TRADE COMMISSION,

CASE NO. 09-cv-2407-RMW

Plaintiff,

**STIPULATION TO CONTINUE
HEARING ON MOTION FOR ORDER
TO RECEIVER TO SHOW CAUSE RE
CONTEMPT AND ORDER**

v.

**PRICEWERT LLC dba 3FN.NET TRIPLE
FIBER NETWORK, APS TELECOM,
APX TELECOM, APS
COMMUNICATIONS, AND APS
COMMUNICATION,**

Date: January 29, 2010
Time: 9:00 am
Ctrm: 6, 4th Floor

Defendant.

The Honorable Ronald M. Whyte

1 IT IS HEREBY STIPULATED AND AGREED by and between the parties to this
2 Stipulation, through their counsel of record, that:

3 1. The hearing on Suren Ter-Saakov ("Ter-Saakov") and Tsuren LLC's Motion
4 for Order to Show Cause re. Contempt ("Motion") in this action currently set for January
5 29, 2010 at 9:00 am shall be continued to April 16, 2010 at 9:00 am or the next
6 available date and time thereafter that is convenient for the Court.

7 2. Opposition and reply deadlines shall be calculated from the new hearing
8 date.

9 3. The Receiver waives any opposition that it may have on account of the
10 moving parties' failure to properly serve the Receiver with the Motion.

11 4. Other than its waiver of any opposition on the grounds it was not properly
12 served with the motion, the Receiver reserves all other bases for opposing the motion,
13 including without limitation the right to argue that Ter-Saakov and Tsuren LLC do not
14 have standing to file the Motion because the Court denied their Motion for Leave to
15 Intervene in its Order Denying Motions to Intervene (Doc. 75).

16
17 IT IS SO STIPULATED:

18
19 DATED: January 8, 2010

DATED: January 8, 2010

20 KRONENBERGER BURGOYNE, LLP

MCKENNA LONG & ALDRIDGE LLP

21
22 By: s/Karl S. Kronenberger

By: s/Gary O. Caris

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26 Attorneys for Proposed Intervenors
27 Suren Ter-Saakov and Tsuren LLC

Attorneys for Receiver Robb Evans &
Associates LLC

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: 1/26/10



The Hon. Ronald M. Whyte
UNITED STATES DISTRICT JUDGE

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