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8 Attorneys for Defendant
 9 TIM RHODES

10 **UNITED STATES DISTRICT COURT**
 11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

13 QUALITY TECHNOLOGY SERVICES
 14 HOLDING, LLC, a Delaware Limited
 15 Liability Company,

16 Plaintiff,

17 v.

18 CHRISTIAN KOCH, an individual, DAVID
 19 BUCIAK, an individual, DATAPIPE, INC., a
 20 California Corporation, TIM RHODES, an
 21 individual,

22 Defendants.

Case No. CV-09-5133 JF

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO EXTEND TIME FOR
 DEFENDANT TIM RHODES TO
 RESPOND TO PLAINTIFF'S
 COMPLAINT**

23 WHEREAS on October 29, 2009, Plaintiff Quality Technology Services Holding, LLC
 24 filed its Complaint in the above-captioned matter;

25 WHEREAS on November 18, 2009, Plaintiff filed its Certificate of Service of Summons,
 26 Complaint & Other Pleadings on Defendant Tim Rhodes;

27 WHEREAS Plaintiff and Rhodes hereby stipulate and agree to extend the date of
 28 Rhodes's response to Plaintiff's Complaint until March 5, 2010;

1 WHEREAS pursuant to Civil Local Rule 6-1(a), Plaintiff and Rhodes acknowledge and
2 agree that the new response date will not alter the date of any event or any deadline already fixed
3 by Court order in this case;

4 NOW THEREFORE Plaintiff and Rhodes, by and through their respective counsel,
5 hereby stipulate and inform the Court that the date of Rhodes's response to Plaintiff's Complaint
6 is extended to March 5, 2010.

7
8 DATED: January 15, 2010

ONGARO BURTT LLP

9
10 By: /s/ David R. Burtt
 David R. Burtt

11 Attorneys for Defendant
12 TIM RHODES

13 DATED: January 15, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

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15 By: /s/ Amber Rye Brumfiel
 Amber Rye Brumfiel

16 Attorneys for Plaintiff
17 QUALITY TECHNOLOGY SERVICES HOLDING, LLC

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FILER'S ATTESTATION

Pursuant to General Order 45, section X(B), I hereby attest that on January 15, 2010, I, David R. Burt, received the concurrence of Amber Brumfiel in the filing of this document.

/s/ David R. Burt
David R. Burt

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: January 19, 2010

By: 
Honorable Jeremy Fogel
United States District Judge