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American Management Services  
6 California, Inc. dba Pinnacle

7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

KLINEDINST PC  
801 K STREET, STE. 2800  
SACRAMENTO, CALIFORNIA 95814

10  
11 JENNIFER BOR, an individual, A.B.,  
a minor by and through her  
12 GUARDIAN AD LITEM CHERYL  
GREEN, J.B., a minor by and through  
13 his GUARDIAN AD LITEM  
14 CHERYL GREEN; N.B., a minor by  
and through her GUARDIAN AD  
LITEM CHERYL GREEN,

15 Plaintiffs,

16 v.

17 PPC WSSC LLC, a Delaware Limited  
18 Liability Corporation dba  
WATERSTONE AT SANTA CLARA;  
19 AMERICAN MANAGMENT  
SERVICES CALIFORNIA, INC, a  
20 Washington Corporation dba  
PINNACLE, and DOES 1 THRU 10,  
21 INCLUSIVE,

22 Defendants.

23  
24 Plaintiffs Jennifer L. Bor, and minors A.B., J.B., and N.B., through their guardian  
25 ad litem Cheryl Green (“Plaintiffs”), and Defendant American Management Services  
26 California, Inc. dba Pinnacle (“Defendant”), by and through their attorneys of record,  
27 agree as follows:

28 ///

Case No. 11-CV-03430 LHK

**STIPULATION AND ORDER TO SET  
ASIDE DEFAULT**

Date  
Time:  
Courtroom:  
Judge:  
Magistrate Judge:  
Complaint Filed:  
Trial Date: None set

1 WHEREAS Plaintiffs filed a Complaint in the U.S. District Court for the Northern  
2 District of California on July 13, 2011;

3 WHEREAS Plaintiffs filed a First Amended Complaint in the U.S. District Court  
4 for the Northern District of California on August 11, 2011 (“Amended Complaint”);

5 WHEREAS Plaintiffs submit that Defendant was served with the Amended  
6 Complaint on September 15, 2011;

7 WHEREAS Plaintiff requested an entry of default as to Defendant on October 12,  
8 2011;

9 WHEREAS the clerk entered default as to Defendant on October 19, 2011;

10 WHEREAS Plaintiffs and Defendant request that the default entered against  
11 Defendant be set aside, so that the matter may proceed on the merits.

12 IT IS SO STIPULATED.

13 LAW OFFICES OF CRAIG P. FAGAN

14  
15 DATED: October 28, 2011

16 By: /s/Craig P. Fagan  
17 Craig P. Fagan  
18 Attorneys for Plaintiffs  
19 Jennifer Bor, A.B., J.B., and N.B.

20 KLINEDINST PC

21  
22 DATED: October 28, 2011

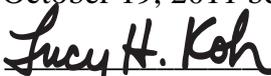
23 By: /s/ Natalie P. Vance  
24 Natalie P. Vance  
25 Attorneys for Defendant  
26 American Management Services  
27 California, Inc. dba Pinnacle

28 **ORDER**

IT IS HEREBY ORDERED that the Default entered against Defendant American  
Management Services California, Inc. dba Pinnacle on October 19, 2011 be set aside.

Dated: November 3, 2011

1328687v1

  
THE HONORABLE LUCY H. KOH  
UNITED STATES DISTRICT JUDGE