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Attorneys for Plaintiff INCORP SERVICES, INC. and
Counter-Defendant TENNIE SEDLACEK

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

INCORP SERVICES, INC., a Nevada
corporation,
Plaintiff,

vs.

INCSMART.BIZ, INC., a Nevada
corporation;
DAVID OLIVER, an individual;
MICHAEL LASALA, an individual; and
DOES 1-10, inclusive,
Defendants.

INCSMART.BIZ, INC., a Nevada
Corporation,
Counter-Claimant,

vs.

INCORP SERVICES, INC., a Nevada
Corporation; **TENNIE SEDLACEK**, an
individual; **JENNIFER L. REUTING**, an
individual; and **DOUG ANSELL**, an
individual,
Counter-Defendants.

Case No. 11-CV-4660-EJD-PSG

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING DISCOVERY
DEADLINES**



150 Post Street, Suite 520, San Francisco, CA 94108

1 **TO THE CLERK OF THE COURT AND ALL PARTIES AND THEIR**
2 **ATTORNEYS OF RECORD HEREIN:**

3 Plaintiff Incorp Services, Inc. and Defendants Incsmart.biz, Inc., David Oliver, and
4 Michael Lasala (individually, a “Party” and collectively, the “Parties”), by and through their
5 counsel of record, hereby stipulate and agree as follows:

6 WHEREAS, fact discovery is set to close on December 31, 2012;

7 WHEREAS, the Parties have been diligently performing discovery since the
8 opening of discovery;

9 WHEREAS, the Parties have not yet completed fact discovery;

10 WHEREAS, certain discovery disputes have arisen, which, despite the parties’
11 meet-and-confer efforts, will require Court intervention to resolve;

12 WHEREAS, the Parties will incur significant expense in presenting these discovery
13 disputes to the Court;

14 WHEREAS, the Parties are meeting-and-conferring about the Defendants’
15 financial condition, Defendants’ ability to pay the sanctions set forth in the Court’s June 6,
16 2012 order [D.E. No. 40], and the possibility of settlement;

17 WHEREAS, the Parties believe that the interests of the Parties and the Court
18 would best be served by continuing the discovery period so that the Parties can wait until
19 after their settlement discussions to bring any discovery motions.

20
21 NOW, THEREFORE, it is hereby stipulated and agreed, by and among the Parties,
22 through their respective counsel, as follows:

23 1. The Parties agree that all discovery deadlines, as detailed in the Court’s
24 case Management Order dated August 24, 2012 [D.E. No. 53], shall be continued for
25 sixty (60) days, pursuant to the following schedule:

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EVENT	DEADLINE
Fact Discovery Cutoff	March 1, 2013
Designation of Opening Experts with Reports	March 12, 2013
Designation of Rebuttal Experts with Reports	April 2, 2013
Expert Discovery Cutoff	April 16, 2013
Deadline(s) for Filing Discovery Motions	<u>See</u> Civil Local Rule 37-3
Deadline for Filing Dispositive Motions	April 30, 2013
Preliminary Pretrial Conference	11:00 a.m. on February 8, 2013
Joint Preliminary Pretrial Conference Statement	January 30, 2013

IT IS SO STIPULATED.

DATED: November 13, 2012

DATED: November 13, 2012

KRONENBERGER ROSENFELD, LLP

THE LAW OFFICES OF MICHAEL G. ACKERMAN

By: s/Jeffrey M. Rosenfeld
Jeffrey M. Rosenfeld

By: s/ Michael G. Ackerman
Michael G. Ackerman

Attorneys for Plaintiff Incorp Services, Inc.
and Counter-Defendant Tennie Sedlacek

Attorney for Defendants Incsmart.biz, Inc.,
David Oliver, Michael Lasala, and Jo Ann
Oliver

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to the General Order No. 45, section 45 X(B), for The United States District Court for the Northern District of California, I, Jeffrey M. Rosenfeld, hereby attest that the concurrence to the filing of this Stipulation and [Proposed] Order Continuing Discovery Deadlines has been obtained from Michael G. Ackerman, who has provided the conformed signature above.



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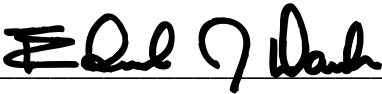
~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that all discovery deadlines, as detailed in the Court's case Management Order dated August 24, 2012, shall be continued for sixty (60) days, pursuant to the following schedule:

EVENT	DEADLINE
Fact Discovery Cutoff	March 1, 2013
Designation of Opening Experts with Reports	March 12, 2013
Designation of Rebuttal Experts with Reports	April 2, 2013
Expert Discovery Cutoff	April 16, 2013
Deadline(s) for Filing Discovery Motions	<u>See</u> Civil Local Rule 37-3
Deadline for Filing Dispositive Motions	April 30, 2013
Preliminary Pretrial Conference	11:00 a.m. on February 8, 2013
Joint Preliminary Pretrial Conference Statement	January 30, 2013

IT IS SO ORDERED.

Dated: November 15, 2012



United States District Court Judge