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6 *Attorneys for Plaintiff*

7 **[Additional Counsel Listed Below]**

8 **UNITED STATES DISTRICT COURT**
 9 **DISTRICT OF NEVADA**

10 MICHAEL RUTH, and OTILDA
 11 LAMONT, Derivatively on Behalf of
 CANNAVEST CORP.,

Case No.: 2:15-cv-00481-RFB-VCF

12 Plaintiffs,

13 v.

**FURTHER JOINT STATUS
 REPORT TO MAGISTRATE
 JUDGE CAM FERENBACH**

14 MICHAEL MONA, JR., BART P.
 15 MACKAY, and LARRY RASKIN,

16 Defendants,

17 and

18
 19 CANNAVEST CORP.,

20 Nominal Defendant.
 21

22 **WHEREAS**, by Order dated January 11, 2016, (D.E. 34), Judge Boulware
 23 ordered that the current action shall continue to be stayed pending a resolution of the
 24 motion to dismiss in the related action styled as *In re: CannaVest Corp., Securities*
 25 *Litigation*” under case no. 14-cv-2900 (hereafter, the “New York Federal Securities
 26 Action”);

27 **WHEREAS**, Judge Boulware, also on January 11, 2016, ordered the parties to
 28 submit a written Status Report to Magistrate Cam Ferenbach as to the status of the

1 motion to dismiss in the New York Federal Securities Action on or before March 31,
2 2016;

3 **WHEREAS**, in the New York Federal Securities Action the lead plaintiff filed a
4 consolidated complaint on September 14, 2015, and Defendants responded with a
5 motion to dismiss on December 11, 2015;

6 **WHEREAS**, the lead plaintiff in the New York Federal Securities Action served
7 its Opposition to Defendants' Motion to Dismiss on March 21, 2016;

8 **WHEREAS**, the Defendants' motion to dismiss the New York Federal Securities
9 Action was fully briefed, with all papers having been docketed on September 30, 2016;

10 **WHEREAS**, on March 31, 2018, the Court in the Southern District of New York
11 issued its written opinion denying in part and granting in part the motion to dismiss;

12 **WHEREAS**, the answer of the remaining defendants in the New York Federal
13 Securities Action is due on April 30, 2018;

14 **WHEREAS**, an action was filed by the Securities and Exchange Commission
15 ("SEC") on June 15, 2017 against CannaVest Corp. and Michael J. Mona, Jr., two
16 defendants in the instant action, in the United States District Court of Nevada, Civil
17 Action No. 2-17-cv-01681 ("SEC Action");

18 **WHEREAS**, the SEC Action has been settled in principal, pending the approval
19 of the proposed settlement terms by senior SEC officials;

20 **WHEREAS**, there are no motions presently pending before this Court; and

21 **WHEREAS**, the parties have met and conferred, and Plaintiff desires to further
22 amend her complaint to take cognizance of recent developments in the New York
23 Federal Securities Action and in the SEC Action:

24 **ACCORDINGLY**, the parties respectfully submit:

- 25 1. That Plaintiff's Second Amended Complaint should be filed on or before thirty
26 (30) days from the date this Stipulation is so ordered by the Court; and

27 ///

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1 2. That the Defendants thereafter shall have thirty (30) days to respond to
2 Plaintiff's Second Amended Complaint.

3 Dated: April 30, 2018

Dated: April 30, 2018

4 **MATTHEW L. SHARP, LTD.**

**PROCOPIO, CORY,
5 HARGREAVES & SAVITCH. LLP**

6
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Counsel for Plaintiffs

*Counsel for Defendants
Michael Mona, Jr., Bart P. Mackay,
Larry Raskin, and
CannaVEST Corp.*

24 **IT IS SO ORDERED.**

25
26 

27 **UNITED STATES MAGISTRATE JUDGE**

28 **DATED:** 4-30-2018

1 **CERTIFICATE OF SERVICE**

2 Pursuant to Federal Rules of Civil Procedure 5 (b), I hereby certify that I am an
3 employee of Matthew L. Sharp, Ltd. and that on this 30th day of April 2018, I caused the
4 foregoing FURTHER JOINT STATUS REPORT TO MAGISTRATE JUDGE CAM
5 FERENBACH to be served on the parties in this action via the Court’s CM/ECF System.

6
7 */s/ Cristin B. Sharp*
8 An employee of Matthew L. Sharp, Ltd.

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