PAUL J. STEINER, ESQ. (SBN 41117) LAW OFFICES OF PAUL J. STEINER 550 California Street Sacramento Tower, Suite 700 San Francisco, California 94104 Telephone: (415) 981-6100		
Facsimile: (415) 984-0950		
Attorneys for Plaintiffs		
DSSDR, LLC and ANDREW G. BENSINGER		
ANDREW G. BENSINGER		
UNITED STATES DI NORTHERN DISTRIC SAN FRANCISC	T OF CALIFO	ORNIA
DSSDR, LLC, a Florida Corporation; and ANDREW G. BENSINGER, an Individual,	Case No	o.: CV 12-4336 JSW
Plaintiffs,		
		LATION FOR CHANGE OF
VS.		ING AND REPLY ULES ON MOTION BY
ZENITH INFOTECH LTD, an Indian,		NUUM, MICHAEL GEORGE
Corporation; AKASH SARAF, an	AND SU	JMMIT PARTNERS TO
Individual; CONTINUUM MANAGED	DISMIS	SS COMPLAINT
SERVICES, LLC, a Delaware Corporation; fka ZENITH RMM; MICHAEL GEORGE,		and ORDER
an Individual; SUMMIT PARTNERS, L.P.,		ORDER
a Delaware Limited Partnership; and, DOES	Date:	January 11, 2013
1 through 200, inclusive,	Time:	9:00 AM
Defendants.	Dept: Judge:	Courtroom 11 Hon. Jeffrey S. White
STIPULA	ATION	
WHEREAS, Plaintiffs commenced this act	tion in the Sup	erior Court of California for the
County of Alameda on August 6, 2012;		
WHEREAS, the matter was removed to the	e United States	s District Court for the Northern
District of California, San Francisco Division on A	August 16, 2012	2;
STIPULATION AND ORDER ON MOTION BY CONT	'INUUM,	
<b>GEORGE &amp; SUMMIT PARTNERS TO DISMISS</b> DSSDR v. Zenith Infotech LTD, et al., Case No. C 12-04334	JSW	Page 1
,, ,, ,,		8- 1

1	WHEREAS, on August 29, 2012, plaintiffs and defendants Continuum Managed			
2	Services, LLC, Michael George and Summit Partners, L.P. (the "Continuum Defendants")			
3	entered into a stipulation extending the Continuum Defendants' time to move, answer or			
4	otherwise respond to the complaint;			
5	WHEREAS, on October 4, 2012 the Continuum Defendants filed their Motion to Dismiss			
6	the complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) and, alternatively, as to			
7	Michael George, Federal Rule of Civil Procedure 12(b)(2) (the "Motion to Dismiss") set for			
8	hearing on January 11, 2013;			
9	WHEREAS, on or before October 18, 2012, plaintiffs' opposition is due to be filed in			
10	response to the Motion to Dismiss.			
11	WHEREAS, the Motion to Dismiss is substantive and plaintiffs' counsel is scheduled to			
12	be out of state from October 11, 2012 returning to his office on October 22, 2012 and needs and			
13	has requested additional time within which to prepare and file an appropriate response and			
14	defendants are amenable, subject to Court approval, to an alteration of the schedule for			
15	opposition papers of plaintiffs and reply papers of defendants to be filed, as set forth below.			
16	NOW, THEREFORE, IT IS STIPULATED AND AGREED, subject to approval by			
17	the Court, as follows:			
18	1. Plaintiffs shall file their opposition to the Motion to Dismiss by November 26, 2012;			
19	2. The Continuum Defendants shall file their reply papers in support of the Motion to			
20	Dismiss by December 21, 2012.			
21	IT IS SO STIPULATED.			
22	DATED: October 12, 2012  LAW OFFICES OF PAUL J. STEINER			
23				
24	By: /s/ PAUL J. STEINER			
25	Attorneys for Plaintiffs DSSDR, LLC			
26	and ANDREW G. BENSINGER			
27				

28

## Case=1313-cv/-100266-FIDS/ Doocumentt26 Filed 110/125/112 Pagge33683

1	DATED: October 12, 2012	VEIL, GOTSHAL & MANGES LLP
2		
3	F	By: /s/ RICHARD W. SLACK,
4 5		Attorneys for Defendants CONTINUUM MANAGED SERVICES, LLC, MICHAEL
6		GEORGE and SUMMIT PARTNERS, L.P.
7		
8	<u>(</u>	<u>ORDER</u>
9	Pursuant to the stipulation of the parti	es and good cause appearing, IT IS ORDERED that
LO	the opposing and reply paper due dates for the	ne Motion to Dismiss set for hearing on January 11,
11	2013 are altered and reset as follows:	15
12	1. Plaintiffs shall file their opposition	n to the Motion to Dismiss by November 26, 2012;
L3		file their reply papers in support of the Motion to
L4	November 29 Dismiss by <del>December 21,</del> 2012.	
L5	15	
L6	DATED: October <u>15</u> , 2012	Jeffry Swhits
L7		United State District Court
L8		Northern District of California
L9		
20		
21		
22		
23		
24		
25		
26		
27		
	STIPULATION AND ORDER ON MOTION BY (	CONTINUUM,