David A. Makman (SBN 178195) dmakman@kirinlaw.com
Law Offices of David A. Makman
90 New Montgomery Street, Suite 1600
San Francisco, California 94105
Telephone: (415) 707-5000
Facsimile: (415) 707-5050

Randall M. Penner
PENNER, BRADLEY & SIMONIAN
1171 West Shaw Avenue, Suite 102
Fresno, California 93711
Telephone: (559) 221-2100
Facsimile: (559) 221-2101

Attorneys for Defendants
WILLIAM PARDINI, AND B.T.B., INC.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

CREDIT BUREAU CONNECTION, INC.,

Plaintiff,

v.

WILLIAM PARDINI, B.T.B., INC., d.b.a. DATA CONSULTANTS,

Defendants.

CASE NO. 1:10-CV-01202-LJO-GSA

STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR DEFENDANTS TO RESPOND TO PLAINTIFF'S COMPLAINT

(LOCAL RULE 144)

JURY TRIAL DEMANDED

Judge: The Honorable Lawrence J. O'Neil
Hearing: TBD
Time: TBD
Action Filed: July 1, 2010

Pursuant to, and in accordance with, Local Rule 144, Plaintiff Credit Bureau Connection, Inc. ("CBC"), and Defendants William Pardini ("William Pardini") and B.T.B. Inc., d/b/a Data Consultants ("Data Consultants"), by and through their respective counsel, hereby stipulate to an extension of time – until Wednesday, August 18, 2010 – for Defendants William Pardini and B.T.B Inc., d/b/a Data Consultants (hereinafter, "Data Consultants") to file a response to Plaintiff's Complaint (Docket Entry (hereinafter, "D.E."), 1), which was filed on July 1, 2010.

RECITALS

1. On July 1, 2010, Plaintiff CBC filed a Complaint alleging Breach of Fiduciary Duty, Unfair Business Practices, Intentional and Negligent Interference with Existing and Prospective Economic Advantage, Conversion, Unjust Enrichment, Accounting, Injunctive Relief, Copyright Infringement, Breach of Contract, Declaratory Relief, and demanding a jury trial ("Complaint"). (D.E. 1).

2. On July 2, 2010, Plaintiff served the Summons and Complaint in this action on Defendant William Pardini by personal service (D.E. 13). This service occurred at 5:47 pm.

3. On July 6, 2010, Plaintiff served the Summons and Complaint in this action on Defendant Data Consultants by substituted service on Linda Spadler, a person who was allegedly "apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers." (D.E. 12).

4. On July 8, 2010, Defendants William Pardini and Data Consultants filed an Opposition to Plaintiff's *Ex Parte* Application for a Temporary Restraining Order and Order to Show Cause Regarding Preliminary Injunction ("Opposition"). (D.E. 16).

5. All parties who have appeared in this action and are affected thereby have stipulated and agreed that Defendants William Pardini and Data Consultants' response to Plaintiff CBC's Complaint will be due no later than Wednesday, August 18, 2010, which is not more than the twenty eight (28) day "initial stipulation extending time" provided for in Local Rule 144(a), which can be filed without approval of the Court as long as the stipulation is signed on behalf of all parties who have appeared in the action and are affected by the stipulation.

6. On August 13, 2010, in a discussion with Magistrate Judge Beck, the parties agreed to extend the time for Defendants to answer the complaint in order to allow more time to negotiate a proposal regarding separating the businesses.

STIPULATION

WHEREFORE, PREMISES CONSIDERED, and pursuant to and in accordance with Local Rule 144, Plaintiff CBC, and Defendants William Pardini and Data Consultants, by and through their respective counsel, hereby stipulate that the response of Defendants William Pardini and Data Consultants to Plaintiff CBC's Complaint will be due no later than Wednesday, September 1, 2010.

Date: August 15, 2010

Respectfully submitted,

By: ___/s/ David A. Makman_____
David A. Makman

Attorney for Defendants
WILLIAM PARDINI, and B.T.B. INC.

By: ____/s/ Kristi Weiler Dean_____
Kristi Weiler Dean

Attorney for Plaintiff
CREDIT BUREAU CONNECTION, INC.

IT IS SO ORDERED.

Dated: **August 18, 2010**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE