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11 3i TECHNOLOGY PARTNERS III, LP  
and PAUL BADAWI

12  
13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA  
15 SAN FRANCISCO DIVISION

16 MICHAEL B. ESHELMAN, D.D.S.; PETER F. )  
SILCHER, D.D.S.; AND LORI I. SILCHER, )

17 Plaintiffs, )  
18 )

19 v. )

20 ORTHOCLEAR HOLDINGS, INC., a British )  
Virgin Islands Company; ORTHOCLEAR, )  
21 INC., a Delaware Corporation; MUHAMMAD )  
ZIAULLAH CHISHTI, an individual; )  
22 HUAFENG "CHARLES" WEN, an individual; )  
PETER RIEPENHAUSEN, an individual; )  
23 ARTHUR T. TAYLOR, an individual; SAIYED )  
24 ATIQ RAZA, an individual; CHRISTOPHER )  
KAWAJA, an individual; PATRICIA HUMELL )  
25 SEIFERT, an individual; JOSEPH BREELAND, )  
an individual; MUDASSAR RATHORE, an )  
26 individual; PAUL BADAWI, an individual; )  
3i Technology Partners III, LP; and DOES 1 )  
through 25, inclusive, )

27 Defendants. )  
28 )

No. C 07-01429 JSW

**STIPULATION RE DATE OF  
RESPONSE FOR DEFENDANTS 3i  
TECHNOLOGY PARTNERS III, L.P.  
AND PAUL BADAWI**

**[Northern Dist. L.R. 6-1(a)]**

Complaint Filed: March 12, 2007  
Trial Date:

**BARTKOZANKEL**  
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STIPULATION

WHEREAS, on April 18, 2007, plaintiffs and defendants 3i Technology Partners III, LP and Paul Badawi (collectively "3i") filed a Stipulation extending the date for 3i's response to the First Amended Complaint until 30 days after notice from either party, so that settlement discussions could be pursued, and subsequently notice was provided such that 3i's response to the First Amended Complaint is now due June 20, 2007.

WHEREAS, plaintiffs have forwarded to 3i a proposed Second Amended Complaint, and the parties believe it would be efficient for 3i to respond to a Second Amended Complaint rather than the existing First Amended Complaint.

WHEREAS, plaintiffs anticipate filing a Stipulation to File a Second Amended Complaint, with consent of all adverse parties, and a Second Amended Complaint, as promptly as practicable. *Fed. R. Civ. Proc.* Rule 15(a).

WHEREAS, there is a first Case Management Conference in this action scheduled for August 10, 2007, pursuant to Order filed May 29, 2007, and the stipulation herein to extend the response date for 3i so as to respond to a Second Amended Complaint "will not alter the date of any deadline already fixed by Court Order." *Northern Dist. Civ. L.R. 6-1(a)* ("When Stipulation Permissible Without Court Order.")

NOW THEREFORE, plaintiffs and 3i, as above defined, hereby stipulate that no response to the First Amended Complaint is due June 20, 2007, and that 3i shall respond to a Second Amended Complaint within 14 days after its filing and service.

IT IS SO STIPULATED:

DATED: June 19, 2007

ROPES & GRAY LLP  
BARTKO, ZANKEL, TARRANT & MILLER  
A Professional Corporation

By:           /s/Robert H. Bunzel            
ROBERT H. BUNZEL  
Attorneys for Defendants  
3I TECHNOLOGY PARTNERS III, LP  
and PAUL BADAWI

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1 Concurrence in the filing of this document has been obtained by the signatory below.

2 DATED: June 19, 2007

LAW OFFICES OF ALAN W. SPARER

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By:           /s/Alan W. Sparer            
ALAN W. SPARER  
Attorneys for Plaintiffs

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