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7 Attorneys for Plaintiffs  
MICHAEL B. ESHELMAN, D.D.S.; PETER  
8 F. SILCHER, D.D.S.; and LORI I. SILCHER

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

13 MICHAEL B. ESHELMAN, D.D.S.; PETER  
F. SILCHER, D.D.S.; and LORI I. SILCHER,

No. C 07 1429 JSW

14 Plaintiffs,

Action Filed: March 12, 2007

15 v.

16 STIPULATED REQUEST AND  
17 [PROPOSED] ORDER EXTENDING TIME

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

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**STIPULATED REQUEST FOR ORDER EXTENDING TIME**

Pursuant to Local Rules 6-2 and 7-12, Plaintiffs Michael B. Eshelman, D.D.S., Peter F. Silcher, D.D.S., and Lori I. Silcher (“Plaintiffs”) and Defendants Ocumenta Capital Holdings, Inc. (f/k/a OrthoClear Holdings, Inc.) (“OrthoClear”), Muhammad Ziaullah Chishti, Huafeng “Charles” Wen, Peter Riepenhausen, Arthur T. Taylor, Saiyed Atiq Raza, Christopher Kawaja, Patricia Humell Seifert, Joseph Breeland, Paul Badawi, 3i Technology Partners III, LP (“3i”) (collectively “Defendants”), request that the Court enter an order adopting the briefing and hearing schedule below in connection with Defendants’ previously filed and planned motions pursuant to Rule 12(b)(6).

**STIPULATION**

WHEREAS on July 24, 2007, Plaintiffs filed their Second Amended Complaint;

WHEREAS on August 7, 2007, Defendants 3i and Badawi filed a motion to dismiss pursuant to Rule 12(b)(6) that is currently scheduled to be heard on October 26, 2007;

WHEREAS the remaining Defendants currently are required to respond to the Second Amended Complaint no later than September 10, 2007;

WHEREAS the Parties plan a mediation to occur before further briefing of the motions to dismiss described below; and

WHEREAS the Parties believe that rescheduling the motions to dismiss will aid their efforts to resolve this case by reducing litigation costs.

NOW THEREFORE, the Parties hereby stipulate that (1) any and all of Defendants’ motions to dismiss pursuant to Rule 12(b)(6) will be heard on December 7, 2007 at 9:00 a.m.; (2) Defendants other than Badawi and 3i will file their motions on October 26, 2007; (3) Plaintiffs will file their oppositions to Defendants’ motions on or before November 9, 2007; and (4) Defendants will file any reply on or before November 16, 2007.

1 DATED: September 10, 2007

LAW OFFICES OF ALAN W. SPARER

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3 By: \_\_\_\_\_ /s/  
ALAN W. SPARER

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Attorneys for Plaintiffs

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6 Concurrence in the filing of this document has been obtained by each of the other signatories.

7 DATED: September 10, 2007

SHARTSIS FRIESE LLP

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9 By: \_\_\_\_\_ /s/  
ARTHUR J. SHARTSIS

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Attorneys for Defendants Ocuementa, Inc. and  
11 Ocuementa Holdings, Inc. (f/k/a OrthoClear, Inc. and  
12 OrthoClear Holdings, Inc. respectively), Chishti,  
Wen, Riepenhausen, Taylor, Raza, and Breeland

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14 DATED: September 10, 2007

ROBIE & MATTHAI

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15 By: \_\_\_\_\_ /s/  
EDITH R. MATTHAI

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Attorneys for Defendant Seifert

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19 DATED: September 10, 2007

MCDERMOTT WILL & EMERY

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21 By: \_\_\_\_\_ /s/  
DAVID ALEXANDER

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Attorneys for Defendant Kawaja

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1 DATED: September 10, 2007

ROPES & GRAY

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By: \_\_\_\_\_ /s/

RANDALL W. BODNER

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Attorneys for Defendant 3i

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**ORDER**

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This Court, having reviewed this Stipulation of the parties, and good cause appearing therefore, orders that (1) Defendants' motions to dismiss pursuant to Rule 12(b)(6) will be heard on December 7, 2007 at 9:00 a.m.; (2) Defendants other than Badawi and 3i will file their motions to dismiss on October 26, 2007; (3) Plaintiffs will file their oppositions to all of Defendants' motions to dismiss on or before November 9, 2007; and (4) Defendants will file any reply on or before November 16, 2007.

**IT IS SO ORDERED.**

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Dated: September 11, 2007

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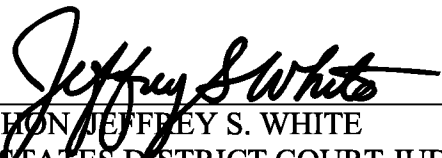
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HON. JEFFREY S. WHITE  
UNITED STATES DISTRICT COURT JUDGE