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James C. Pistorino, Bar No. 226496  
JPistorino@perkinscoie.com  
Liling Poh, Bar No. 255446  
LPoh@perkinscoie.com  
PERKINS COIE LLP  
3150 Porter Drive  
Palo Alto, CA 94304-1212  
Telephone: 650.838.4300  
Facsimile: 650.838.4350

Attorneys for Defendant  
Andrew McManus

**ENDORSED  
FILED**  
San Francisco County Superior Court

AUG 15 2012

CLERK OF THE COURT  
LESLEY FISCELLA  
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SAN FRANCISCO

EXYGY, LLC,  
  
Plaintiff,  
  
v.  
  
ANDREW MCMANUS, and DOES 1 to  
50,  
  
Defendant.

No. CGC-12-520971

~~PROPOSED~~ ORDER RE DEFENDANT  
ANDREW MCMANUS' DEMURRER TO  
PLAINTIFF'S COMPLAINT

Date: August 15, 2012  
Time: 9:30 a.m.  
Dept: 302  
Judge: Honorable ~~Harold E. Kuhn~~  
Action Filed: May 21, 2012  
Trial Date: None Set

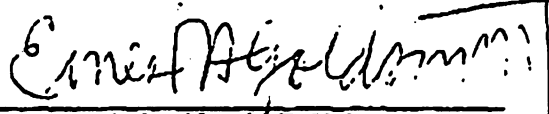
ERNEST H. GOLDSMITH

1 Defendant Andrew McManus' Demurrer to Plaintiff's Complaint ("Demurrer") came on  
2 for hearing in Department 302 of this Court, the Honorable Harold E. Kahn presiding, on August  
3 15, 2012. James Pistorino of Perkins Coie LLP appeared on behalf of Andrew McManus, and  
4 Michael Butler appeared on behalf of Plaintiff Exygy, LLC.

5 Having reviewed and considered the parties' briefs, supporting papers, and oral argument,  
6 and the pleadings and documents on file in this matter, and good cause appearing:

7 IT IS HEREBY ORDERED THAT the Demurrer is SUSTAINED IN PART and  
8 OVERRULED IN PART. Defendant McManus' Demurrer is overruled as to the first cause of  
9 action and sustained, with fifteen (15) days leave to amend, as to the second cause of action.


10  
11 DATED Aug 15, 2012

  
\_\_\_\_\_  
Judge Harold E. Kahn

13 Approved as to form.

14 DATED: 8/15, 2012

15 ERNEST H. GOLDSMITH  
PERKINS COIE LLP

16 By:   
\_\_\_\_\_  
James C. Pistorino  
JPistorino@perkinscoie.com  
Liling Poh, Bar No. 255446  
LPoh@perkinscoie.com

17 Attorneys for Defendant  
18 Andrew McManus

19  
20  
21 DATED: 8/15, 2012

22 GARTEISER HONEA, P.C.

23 By:    
\_\_\_\_\_  
Randall T. Garteiser  
Randall.garteiser@sftrialattorneys.com  
Christopher A. Honea  
Chris.Honea@sftrialattorneys.com

24 Attorneys for Plaintiff  
25 Exygy, LLC