Docket #0230 Date Filed: 7/25/2014

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:
TELEXFREE, LLC

Chapter 11
Case No. 14-40987 MSH

Debtor.

ANTHONY CELLUCCI, JAMILLY LAKE AND GERIVALDO PACHECO - Putative Claims Representatives And Those Similarly Situated,

Plaintiffs,

Adversary Proceeding
No. 14-04057 MSH

v.

TELEXFREE, INC, et al.

Defendants

STIPULATION TO EXTEND TIME TO FILE AND SERVE ANSWER OR OTHER RESPONSE

WHEREAS, there is now pending a Motion to Transfer ("Motion") the above-reference proceeding filed with the United States Judicial Panel on Multidistrict Litigation ("JPMDL"), docketed at MDL No. 2566;

WHEREAS, Defendant TD Bank, N.A. ("Defendant") filed a short statement in support of the Motion on July 23, 2014, and agreed to file a short statement indicating that it will not object to an expected request by plaintiffs for an expedited ruling by the JPMDL on the Motion requesting transfer and consolidation;

WHEREAS, plaintiffs agree to provide a copy of the motion to expedite in advance of filing the same;

WHEREAS, plaintiffs agree to extend the time for Defendant to file responsive pleadings; and

WHEREAS, the parties to this stipulation enter into this stipulation to confirm the agreement reached by the undersigned parties as it relates to extending the time to file and serve an answer or other responsive pleading.

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for Plaintiffs Anthony Cellucci, Jamilly Lake and Gerivaldo Pacheco Putative Claims Representatives And Those Similarly Situated, and Defendant TD Bank, N. A. that Defendant's time to respond to the Complaint herein shall be extended to a date after entry of an order appointing lead plaintiff(s) and lead counsel that is 30 days subsequent to the filing of a consolidated amended complaint by the lead plaintiff(s), unless otherwise ordered by the court;[1] and

(Balance of page intentionally left blank)

[1] Should the Transfer Motion be denied, the time to respond shall be extended to a date that is 30 days after entry of an order denying the Transfer Motion, unless otherwise ordered by the court.

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed in counterparts, and a facsimile or scanned copy of same may be deemed an original.

Dated: July 23, 2014

LAW OFFICES
OF FRANK N. DARDENO, LLP

/s/ Ronald A. Dardeno
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CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is REED SMITH LLP,
101 Second Street, Suite 1800, San Francisco, California 94105-3659. On July 25, 2014, I served the following document(s) by the method indicated below:

ASSENTED TO MOTION TO APPROVE STIPULATION TO EXTEND TIME TO FILE AND SERVE ANSWER OR OTHER RESPONSE

STIPULATION TO EXTEND TIME TO FILE AND SERVE ANSWER OR OTHER RESPONSE

☑ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on July 25, 2014, at San Francisco, California.

/s/ Renee Pelusi
Renee Pelusi