VENABLE LLP
Tamany Vinson Bentz (SBN 258600)
Email: tjbentz@venable.com
2049 Century Park East, Suite 2300
Los Angeles, CA 90067
Telephone: (310) 229-9900
Facsimile: (310) 229-9901

Attorneys for Defendant NeoCell Corporation

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CERTIFIED NUTRACEUTICALS, INC., a California Corporation,

Plaintiff,

v.

NUTRAWISE, Inc., dba YOUTHEORY, a California Corporation, DARREN RUDE, an individual, NEOCELL CORPORATION, a California Corporation, COLLAGEN M.D., INC, a California Corporation, AXE WELLNESS, a Tennessee Limited Liability Company, DR. VENESSA's FORMULAS, a Florida entity, an individual, IRIS TRADING, an entity form unknown, NUTRA FOOD INGREDIENTS, dba NUTRA COLLAGEN, a Michigan Limited Liability Company; MERCOLA.COM HEALTH RESOURCES, LLC, dba DR. MERCOLA, an Illinois Limited Liability Company; DR. JOSEPH MERCOLA, an individual; VESTA INGREDIENTS, INC., an Indiana Corporation; NUTRACEUTICAL CORPORATION, a Utah Corporation; NEW ENGLAND GREENS, LLC, dba VIBRANT HEALTH, a Connecticut Limited Liability Company; and DOES 1 through 10, inclusive,

Defendants.

CASE NO. 3:17-cv-1403-H (AGS)

Hon. Marilyn L. Huff
Courtroom 15A

JOINT MOTION TO EXTEND TIME FOR DEFENDANT NEOCELL CORPORATION TO RESPOND TO INITIAL COMPLAINT IN CASE NO. 3:17-CV-1403-H-AGS BY NOT MORE THAN 30 DAYS (L.R. 12.1)

Complaint Served: July 21, 2017
Current Response Date: August 14, 2017
New Response Date: September 13, 2017

VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900

WHEREAS, CERTIFIED NUTRACEUTICALS, INC. ("Certified") filed Case No. 3:17-cv-01403-H-AGS against NEOCELL CORPORATION ("NeoCell") on July 11, 2017;

WHEREAS, Certified served its summons and complaint on NeoCell on July 21, 2017;

WHEREAS, NeoCell is required to serve its answer and/or respond to Certified's complaint by August 14, 2017, twenty-one days after service of the summons and complaint;

WHEREAS, NeoCell has requested, and Certified has agreed to, a thirty-day extension to answer and/or respond to Certified's complaint;

WHEREAS, this is NeoCell's first request to extend time to respond to the initial complaint;

WHEREAS, Local Rule 12.1 states "[e]xtensions of time for answering . . . a complaint will only be secured by obtaining approval of a judicial officer," the parties hereby bring this joint motion before the Court and seeks the Court's approval;

NOW, THEREFORE, by and through their respective counsel of record, the Parties request that the Court enter an Order extending the time for NeoCell to

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2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900

serve its answer and/or response to Certified's complaint in Case No. 3:17-cv-01403-H-AGS until September 13, 2017.

Dated: August 14, 2017

KHASHAYAR LAW GROUP

By: /s/ Taylor Marks
Daryoosh Khashayar
Taylor Marks
Attorneys for Plaintiff Certified Nutraceuticals, Inc.

Dated: August 14, 2017

VENABLE LLP

By: /s/ Tamany Vinson Bentz
Tamany Vinson Bentz
Attorneys for Defendant NeoCell Corporation

VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900

SIGNATURE CERTIFICATION

I am the ECF User whose identification and password are being used to file the foregoing **JOINT MOTION TO EXTEND TIME FOR DEFENDANT NEOCELL CORPORATION TO RESPOND TO INITIAL COMPLAINT IN CASE NO. 3:17-cv-1403-H-AGS BY NOT MORE THAN 30 DAYS (L.R. 12.1)**. In compliance with the General Order, I hereby attest that the other signatories to this filing have concurred in this filing.

Dated: August 14, 2017

VENABLE LLP

By: /s/ Tamany Vinson Bentz
Tamany Vinson Bentz
Attorneys for Defendant NeoCell Corporation

VENABLE LLP
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LOS ANGELES, CA 90067
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of August, 2017, I caused a true and correct copy of the foregoing document(s) described as **JOINT MOTION TO EXTEND TIME FOR DEFENDANT NEOCELL CORPORATION TO RESPOND TO INITIAL COMPLAINT IN CASE NO. 3:17-cv-1403-H-AGS BY NOT MORE THAN 30 DAYS (L.R. 12.1)** to be filed with the Clerk of the Court through the U.S. District Court Electronic Court Filing System, which caused notice of such filing to be sent electronically to the registered attorneys of record.

Dated: August 14, 2017

VENABLE LLP

By: /s/ Tamany Vinson Bentz
Tamany Vinson Bentz
Attorneys for Defendant NeoCell Corporation