

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

<p>In re</p> <p>PENSON WORLDWIDE, INC., et al.,</p> <p style="text-align: center;">Debtors.</p>
<p>PENSON WORLDWIDE, INC. and PENSON FINANCIAL SERVICES, INC.</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>APEX CLEARING HOLDINGS LLC, APEX CLEARING CORPORATION, and APEX CLEARING SOLUTIONS LLC,</p> <p style="text-align: center;">Defendants.</p>

Chapter 11

Case No. 13-10061(PJW)

(Jointly Administered)

Adv. Pro. No. 13-50855 (PJW)

Related to Docket No. 32

**ORDER APPROVING STIPULATION FOR FURTHER EXTENSION OF TIME  
TO RESPOND TO COMPLAINT AND ADJOURNING PRETRIAL CONFERENCE**

The Court having considered the stipulation (the “Stipulation”)<sup>1</sup> between the above-captioned Plaintiffs and Defendants and attached hereto as Exhibit A; and the Court having determined that good and adequate cause exists for approval of the Stipulation; and the Court having determined that no further notice of the Stipulation must be given:

**IT IS HEREBY ORDERED THAT:**


1. The Stipulation is approved.
2. The Response Deadline for the Defendants to answer, move or otherwise respond to the Complaint is further extended through and including October 28, 2013.

<sup>1</sup> Capitalized terms used herein but not defined herein shall have the meaning ascribed thereto in the Stipulation.



3. The Pretrial Conference related to the Complaint shall be adjourned until November 12, 2013 at 9:30 a.m.

Dated: Wilmington, Delaware  
September 20, 2013

  
\_\_\_\_\_  
Peter J. Walsh  
United States Bankruptcy Judge

**EXHIBIT A**

WHEREAS, an entry on the docket of the Adversary Proceeding indicates that the initial deadline to answer, move or otherwise respond to the Complaint (as thereafter extended, the "Response Deadline") was March 27, 2013; and

WHEREAS, an entry on the docket of the Adversary Proceeding indicates that an initial pretrial conference (a "Pretrial Conference") with the Court had been scheduled for April 16, 2013 at 9:30 a.m.; and

WHEREAS, the Response Deadline had been extended from time to time and the Pretrial Conference had been continued from time to time by agreement of the Parties and as approved by the Court; and

WHEREAS, the Parties have agreed to enter into this stipulation to further extend the Response Deadline through and including October 28, 2013 so that the parties can continue with settlement negotiations, and to adjourn the Pretrial Conference until after the Response Deadline.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to Court approval, that:

1. The Response Deadline for the Defendants to answer, move or otherwise respond to the Complaint is extended through and including October 28, 2013.
2. The Pretrial Conference related to the Complaint shall be adjourned until November 12, 2013 at 9:30 a.m.

Dated: Wilmington, Delaware  
September 18, 2013

/s/ Michelle E. Marino

Stuart M. Brown (Bar No. 4050)  
stuart.brown@dlapiper.com  
Michelle E. Marino (No. 4577)  
michelle.marino@dlapiper.com  
DLA PIPER LLP (US)  
919 N. Market Street, 15th Floor  
Wilmington, Delaware 19801-3046  
Telephone: (302) 468-5700  
Facsimile: (302) 394-2341

-and-

Chris L. Dickerson  
chris.dickerson@dlapiper.com  
DLA PIPER LLP (US)  
203 N. LaSalle Street, Suite 1900  
Chicago, Illinois 60601  
Telephone: (312) 368-4000  
Facsimile: (312) 236-7516

*Attorneys for Defendants*

/s/ Kenneth J. Enos

Pauline K. Morgan (Bar No. 3650)  
Kenneth J. Enos (Bar No. 4544)  
Ryan M. Bartley (Bar No. 4985)  
YOUNG CONAWAY STARGATT &  
TAYLOR, LLP  
Rodney Square  
1000 North King Street  
Wilmington, Delaware 19801  
Telephone: (302) 571-6600  
Facsimile: (302) 571-1253

-and-

Andrew N. Rosenberg  
Oksana Lashko  
PAUL, WEISS, RIFKIND, WHARTON &  
GARRISON LLP  
1285 Avenue of the Americas  
New York, New York 10019  
Telephone: (212) 373-3000  
Facsimile: (212) 492-0158

*Attorneys for Plaintiffs*

[Signature Page to Stipulation]