

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

STEVEN HARBEN, Derivatively on Behalf)
of Nominal Defendant DILLARD'S INC.,)

Plaintiff,)

v.)

WILLIAM DILLARD II, JAMES I.)
FREEMAN, ALEX DILLARD, MIKE)
DILLARD, DRUE MATHENY, JAMES)
A. HASLAM III, PETER R. JOHNSON,)
ROBERT C. CONNOR, R. BRAD)
MARTIN, FRANK R. MORI, WARREN)
A. STEPHENS, and NICK WHITE,)

Defendants,)

-and-)

DILLARD'S INC.)

Nominal Defendant.)

Civil Action No. 4:09-CV-395-BSM

STIPULATION TO AMEND BRIEFING SCHEDULE ON DEFENDANTS' MOTION TO
STAY THESE PROCEEDINGS IN FAVOR OF PARALLEL STATE COURT ACTION
OR, IN THE ALTERNATIVE, DISMISS THE COMPLAINT

WHEREAS, on October 16, 2009, defendants requested from plaintiff a one-week
extension on the filing of their reply to plaintiff's opposition to the Motion;

WHEREAS, the parties have met and conferred, and agreed to modify the briefing
schedule as set forth below; and

WHEREAS, the agreed-upon briefing schedule is not for the purpose of delay and will
not prejudice any party.

NOW, THEREFORE, the undersigned parties hereby STIPULATE AND AGREE, subject to the Court's approval, as follows:

1. Defendants shall file their reply, if any, to plaintiff's opposition on November 2, 2009.

Dated: October 19, 2009

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PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: October 23, 2009



The Honorable Brian S. Miller
United States District Court Judge