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11 Orrick, Herrington & Sutcliffe LLP

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA
14 SACRAMENTO DIVISION

15 WILLIAM GEORGE, on behalf of himself and
16 all other persons similarly situated,

17 Plaintiff,

18 vs.

19 CALIFORNIA INFRASTRUCTURE AND
20 ECONOMIC DEVELOPMENT BANK, a public
21 instrumentality of the State of California and
22 ORRICK, HERRINGTON & SUTCLIFFE, LLP,
23 an entity,

24 Defendants.

Case No.: 2:09-CV-01610-GEB-DAD

**STIPULATION AND ORDER REGARDING
BRIEFING AND HEARING SCHEDULE
FOR DEFENDANTS' MOTIONS TO
DISMISS**

25 WHEREAS:

26 1. This case, an alleged class action asserting claims under Section 10(b) of the
27 Securities Exchange Act of 1934, is subject to the requirements of the Private Securities Litigation
28 Reform Act of 1995 ("PSLRA");

29 2. On August 4, 2009, the Court signed a stipulation and order [Docket No. 26] pursuant
30 to which:

31 a. Within forty-five (45) days from the date that the Court appointed a lead
32 plaintiff in this action pursuant to 15 U.S.C. § 78u-4(3)(B), such lead plaintiff was to file a further

1 amended complaint as its Operative Complaint, or designate the most recent complaint on file as its
2 Operative Complaint;

3 b. Within forty-five (45) days from the date that the Court-appointed lead
4 plaintiff filed or designated its Operative Complaint (pursuant to the preceding paragraph),
5 defendants were to move, answer or otherwise respond to the Operative Complaint; and

6 c. Defendants had no obligation to move, answer or otherwise respond to
7 any complaint in this action until the Operative Complaint was designated or filed by the Court-
8 appointed lead plaintiff;

9 3. On September 15, 2009, the Court granted William George's ("Lead Plaintiff")
10 motion to be appointed lead plaintiff and approved of his selection of McGrane Greenfield LLP and
11 Kershaw, Cutter & Ratinoff, LLP as lead counsel in this action [Docket No. 39];

12 4. On October 20, 2009, Lead Plaintiff filed a Consolidated Complaint for Violation of
13 Section 10(b) of the Securities Exchange Act of 1934 and of Rule 10b-5 Promulgated Thereunder
14 ("Consolidated Complaint") against Defendants California Infrastructure and Economic
15 Development Bank ("I-Bank") and Orrick, Herrington & Sutcliffe, LLP ("Orrick") (collectively
16 "Defendants") [Docket No. 40];

17 5. On October 21, 2009, pursuant to the Court's order dated August 4, 2009 [Docket No.
18 26], Lead Plaintiff designated the Consolidated Complaint filed on October 20, 2009 [Docket No. 40]
19 as the Operative Complaint in this matter [Docket No. 41];

20 6. Under the terms of the prior stipulation and order entered by the Court, defendants'
21 deadline for responding to the Consolidated Complaint is December 4, 2009; and

22 7. Defendants intend to file a motion to dismiss the Consolidated Complaint, and the
23 parties have agreed upon a mutually acceptable briefing and hearing schedule for that motion.

24 THEREFORE, IT IS HEREBY STIPULATED, by and among the undersigned counsel for
25 the parties, that:

26 1. Pursuant to the Court's order of August 4, 2009, Defendants will move to dismiss the
27 Consolidated Complaint on or before December 4, 2009;

1 2. Lead Plaintiff will file and serve any papers in opposition to Defendants' motions to
2 dismiss to the Consolidated Complaint on or before January 11, 2010;

3 3. Defendants will file and serve any reply papers in support of their motions to dismiss
4 on or before January 29, 2010;

5 4. A hearing on Defendants' motions to dismiss the Consolidated Complaint is scheduled
6 on February 8, 2010 at 9:00 a.m.

7 DATED: November 18, 2009

MCGRANE GREENFIELD LLP

8
9 By: /s/ Christopher D. Sullivan
 Christopher D. Sullivan

10 Attorneys for Plaintiff

11
12 DATED: November 18, 2009

FENWICK & WEST LLP

13
14 By: /s/ Kevin P. Muck
 Kevin P. Muck

15 Attorneys for Defendant
16 ORRICK, HERRINGTON & SUTCLIFFE, LLP

17 DATED: November 18, 2009

ATTORNEY GENERAL OF CALIFORNIA

18
19 By: /s/ Jeffrey A. Rich
 Jeffrey A. Rich

Deputy Attorney General

20 Attorneys for Defendant
21 CALIFORNIA INFRASTRUCTURE AND
22 ECONOMIC DEVELOPMENT BANK

23 I certify that a true copy of the foregoing was served electronically via the CM/ECF system
24 on all counsel of record on this 18th day of November, 2009.

25
26 /s/ Carmelita Procida

27 **ORDER**

28 PURSUANT TO STIPULATION, IT IS ORDERED AS FOLLOWS:

1 1. Defendants will move to dismiss the Consolidated Complaint on or before December
2 4, 2009;

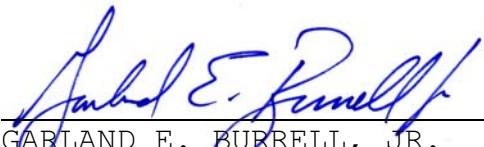
3 2. Lead Plaintiff will file and serve any papers in opposition to Defendants' motions to
4 dismiss to the Consolidated Complaint on or before January 11, 2010;

5 3. Defendants will file and serve any reply papers in support of their motions to dismiss
6 on or before January 29, 2010;

7 4. A hearing on Defendants' motions to dismiss the Consolidated Complaint will be held
8 on February 8, 2010 at 9:00 a.m., or at such other time as is convenient for the Court.

9
10 **IT IS SO ORDERED**

11 Dated: November 24, 2009



GARLAND E. BURRELL, JR.
United States District Judge