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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
FILING OF FIRST AMENDED
CONSOLIDATED COMPLAINT AND
RESPONSE THERETO**

25 WHEREAS:

26 1. This case, an alleged class action asserting claims under Section 10(b) of the
27 Securities Exchange Act of 1934 filed on June 10, 2009 [Docket No. 1], is subject to the
28 requirements of the Private Securities Litigation Reform Act of 1995 (“PSLRA”);

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

1 which: (a) within forty-five (45) days from the date that the Court appointed a lead plaintiff
2 in this action pursuant to 15 U.S.C. § 78u-4(3)(B), such lead plaintiff was permitted to file a further
3 amended complaint; and (b) within forty-five (45) days from the filing of such further amended
4 complaint, defendants were to move, answer or otherwise respond to the Operative Complaint;

5 3. On September 15, 2009, the Court granted the motion of William George (“Lead
6 Plaintiff”) to be appointed lead plaintiff [Docket No. 39], and on October 20, 2009 Lead Plaintiff
7 filed a Consolidated Complaint for Violation of Section 10(b) of the Securities Exchange Act of 1934
8 and of Rule 10b-5 Promulgated Thereunder (“Consolidated Complaint”) against Defendants
9 California Infrastructure and Economic Development Bank (“I-Bank”) and Orrick, Herrington &
10 Sutcliffe, LLP (“Orrick”) (collectively “Defendants”) [Docket No. 40];

11 4. On December 4, 2009, Defendants jointly filed a motion to dismiss the Consolidated
12 Complaint [Docket No. 47], and pursuant to agreement of the parties that motion was set for hearing
13 on February 8, 2010;

14 5. Rather than oppose Defendants’ motion to dismiss, Lead Plaintiff prepared and
15 submitted to the Court on December 28, 2009 a First Amended Consolidated Complaint for Violation
16 of Section 10(b) of the Securities Exchange Act of 1934 and of Rule 10b-5(a), (b) and (c)
17 Promulgated Thereunder (“First Amended Consolidated Complaint”) [Docket No. 52];

18 6. On January 6, 2010, the Court signed a Stipulation and Order (1) deeming the First
19 Amended Consolidated Complaint filed and superseding all prior pleadings, (2) taking Defendants’
20 motion to dismiss the Consolidated Complaint, set for hearing on February 8, 2010, off calendar, and
21 (3) requiring Defendants to move or otherwise respond to the First Amended Consolidated Complaint
22 on or before February 5, 2010 [Docket No. 54]; and

23 6. Defendants intend to file a motion to dismiss the First Amended Consolidated
24 Complaint, and the parties have agreed upon a mutually acceptable briefing and hearing schedule for
25 that motion.

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

1 1. Pursuant to the Court's order of January 6, 2010, Defendants will move to dismiss the
2 First Amended Consolidated Complaint on or before February 5, 2010;

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 March 5, 2010;

5 3. Defendants will file and serve any reply papers in support of their motions to dismiss
6 on or before March 24, 2010;

7 4. A hearing on Defendants' motions to dismiss the Consolidated Complaint will be held
8 on April 5, 2010 at 9:00 a.m., or at such other time as is convenient for the Court.

9
10 DATED: February 2, 2010

MCGRANE GREENFIELD LLP

11
12 By: /s/ Christopher D. Sullivan
13 Christopher D. Sullivan
14 Attorneys for Plaintiff

15 DATED: February 2, 2010

FENWICK & WEST LLP

16
17 By: /s/ Kevin P. Muck
18 Kevin P. Muck

19 Attorneys for Defendant
ORRICK, HERRINGTON & SUTCLIFFE, LLP

20 DATED: February 2, 2010

ATTORNEY GENERAL OF CALIFORNIA

21 By: /s/ Jeffrey A. Rich

22 Jeffrey A. Rich
23 Deputy Attorney General

24 Attorneys for Defendant
25 CALIFORNIA INFRASTRUCTURE AND
26 ECONOMIC DEVELOPMENT BANK
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2 I certify that a true copy of the foregoing was served electronically via the CM/ECF system
3 on all counsel of record on this 2nd day of February, 2010.

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5 /s/ Kevin P. Muck
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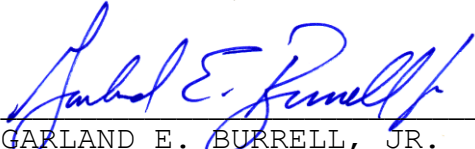
ORDER

PURSUANT TO STIPULATION, IT IS ORDERED AS FOLLOWS:

1. Defendants will move to dismiss the First Amended Consolidated Complaint on or before February 5, 2010;
2. Lead Plaintiff will file and serve any papers in opposition to Defendants' motions to dismiss to the Consolidated Complaint on or before March 5, 2010;
3. Defendants will file and serve any reply papers in support of their motions to dismiss on or before March 24, 2010;
4. A hearing on Defendants' motions to dismiss the Consolidated Complaint will be held on April 5, 2010 at 9:00 a.m., or at such other time as is convenient for the Court.

IT IS SO ORDERED.

Dated: February 4, 2010



GARLAND E. BURRELL, JR.
United States District Judge