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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-KJN

**STIPULATION AND [PROPOSED] ORDER
REGARDING FILING OF SECOND
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”);

1 Under the PSLRA, all discovery and other proceedings (including initial disclosures
under Fed. R. Civ. Pro. 26(a)) are stayed until and unless it is determined that the plaintiff can state a
claim capable of surviving a motion to dismiss (15 U.S.C. § 78u-4(b)(3); *Medhekar v. U.S. District
Court*, 99 F.3d 325, 328 (9th Cir. 1996));

2 On September 15, 2009, the Court granted the motion of William George (“Lead

1 Plaintiff”) to be appointed lead plaintiff [Docket No. 39];

2 4. On December 28, 2009, Lead Plaintiff filed a First Amended Consolidated Complaint
3 (“FACC”) [Docket No. 52];

4 5. On February 5, 2010, Defendants jointly filed a motion to dismiss the FACC [Docket
5 Nos. 57-62], and the Court signed a stipulation and order [Docket No. 56] pursuant to which that
6 motion was set for hearing on April 5, 2010 at 9:00 a.m., or at such other time as is convenient for the
7 Court;

8 6. On March 5, 2010, Lead Plaintiff filed his opposition to Defendants’ motion to
9 dismiss [Docket No. 66], and on March 24, 2010, Defendants jointly filed a reply brief [Docket No.
10 67].

11 7. On April 2, 2010, the Court issued a minute order [Docket No. 68] stating that
12 Defendants’ motion to dismiss was submitted without oral argument and canceling the hearing
13 scheduled for April 5, 2010;

14 8. On June 10, 2010, the Court issued an Order granting Defendants’ Motion to Dismiss
15 the FACC without prejudice [Docket No. 71];

16 9. On June 15, 2010, the Court issued a Minute Order setting the Case Management
17 Conference for September 20, 2010;

18 10. Lead Plaintiff intends to file a Second Amended Consolidated Complaint (“SACC”);

19 11. Lead Plaintiff’s SACC is currently due on June 24, 2010;

20 12. The parties have agreed upon a mutually acceptable schedule for the filing of the
21 SACC and the briefing and hearing for any subsequent motion to dismiss the SACC filed by
22 Defendants.

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

25 1. Lead Plaintiff will file and serve its Second Amended Consolidated Complaint
26 (“SACC”) on or before July 12, 2010;

27 2. Defendants will move to dismiss the SACC on or before August 13, 2010;

28 3. Lead Plaintiff will file and serve any papers in opposition to Defendants’ motion to

1 dismiss the SACC on or before September 10, 2010;

2 4. Defendants will file and serve any reply papers in support of their motion to dismiss
3 on or before October 1, 2010; and

4 5. A hearing on Defendants motion to dismiss the SACC will be held on October 25,
5 2010 at 9:00 a.m., or at such other time as is convenient for the Court.

6
7 DATED: June __, 2010

MCGRANE GREENFIELD LLP

8
9 By: _____
Christopher D. Sullivan
10 Attorneys for Plaintiff

11 DATED: June __, 2010

FENWICK & WEST LLP

12
13 By: _____
Kevin P. Muck
14 Attorneys for Defendant
15 ORRICK, HERRINGTON & SUTCLIFFE, LLP

16
17 DATED: June __, 2010

ATTORNEY GENERAL OF CALIFORNIA

18
19 By: _____
Jeffrey A. Rich
Deputy Attorney General
20 Attorneys for Defendant
21 CALIFORNIA INFRASTRUCTURE AND
22 ECONOMIC DEVELOPMENT BANK

23
24
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26 I certify that a true copy of the foregoing was served electronically via the CM/ECF system
27 on all counsel of record on this __ day of June, 2010.

