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 9 *Please see continuation page for a complete  
 list of the parties and their respective counsel.*

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 11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13	FEDERAL ENERGY REGULATORY	)	CASE NO.: 2:13-cv-02093-TLN-DAD
14	COMMISSION,	)	
15	Petitioner,	)	<b>JOINT STIPULATED REQUEST TO</b>
16	v.	)	<b>CONTINUE HEARING DATE ON</b>
		)	<b>DEFENDANTS' MOTION TO DISMISS</b>
		)	<b>AND ORDER</b>
17	BARCLAYS BANK PLC; DANIEL BRIN;	)	Current Hearing Date: February 12, 2015
18	SCOTT CONNELLY; KAREN LEVINE; and	)	Proposed Hearing Date: February 26, 2015
19	RYAN SMITH,	)	Presiding: Hon. Troy L. Nunley
	Respondents.	)	Courtroom: 2, 15th Floor
20		)	Trial Date: None Set
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JOINT STIPULATED REQUEST  
 TO CONTINUE MOTION TO DISMISS  
 HEARING DATE AND ORDER

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and SCOTT CONNELLY

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Attorneys for Defendants KAREN LEVINE  
and RYAN SMITH

1 The Federal Energy Regulatory Commission (“FERC”), on the one hand, and Barclays  
2 Bank PLC (“Barclays”), Daniel Brin, Scott Connelly, Karen Levine, and Ryan Smith (collectively,  
3 the Individual Traders), on the other hand, (together the “Parties”) by and through their respective  
4 counsel, hereby stipulate and agree as follows:

5 **WHEREAS**, FERC filed a “Petition For An Order Affirming The Federal Energy  
6 Regulatory Commission’s July 16, 2013 Order Assessing Civil Penalties Against Barclays Bank  
7 PLC, Daniel Brin, Scott Connelly, Karen Levine, And Ryan Smith” (the “Petition”) in this action  
8 on October 9, 2013;

9 **WHEREAS**, Barclays and the Individual Traders filed Motions (A) to Dismiss for  
10 Improper Venue, or in the Alternative, to Transfer to the Southern District of New York; and (B) to  
11 Dismiss for Failure to State a Claim Upon Which Relief Can be Granted (the “Motion to Dismiss”)  
12 in this action on December 16, 2013;

13 **WHEREAS**, FERC filed an Opposition to the Motion to Dismiss on February 14, 2014 and  
14 Barclays and the Individual Traders filed a Reply in support of their Motion to Dismiss on March  
15 21, 2014;

16 **WHEREAS**, on January 21, 2015, the Court issued a Request for Oral Argument on the  
17 Motion to Dismiss setting the hearing date for February 12, 2015 at 2:00 PM but invited the Parties  
18 to confer and propose a different date to the Court if that date is not available for the Parties;

19 **WHEREAS**, some but not all of the Individual Traders’ counsel are available to attend the  
20 hearing in this matter scheduled for February 12, 2015;

21 **WHEREAS**, counsel for Barclays has consulted with the Court and understands that the  
22 Court is alternatively available to hear this matter on February 26, 2015 at 2:30 PM;

23 **WHEREAS**, the parties’ have conferred and determined that counsel for all Parties are  
24 available on February 26, 2015;

25 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED** by and between  
26 the Parties, through their undersigned counsel of record, subject to the approval of the Court, that  
27 the hearing in this matter set for February 12, 2015 at 2:00 PM be continued until February 26,  
28 2015 at 2:30 PM.

1 **IT IS SO STIPULATED.**

2 DATED: January 28, 2015

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By: /s/ Wesley J. Heath (as authorized on 1/29/2015)

Wesley J. Heath

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Attorneys for FEDERAL ENERGY REGULATORY  
COMMISSION

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8 DATED: January 28, 2015

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SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

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By: /s/ Thomas J. Nolan

Thomas J. Nolan

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Attorneys for BARCLAYS BANK PLC

12 DATED: January 28, 2015

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CADWALADER, WICKERSHAM & TAFT LLP

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By: /s/ Gregory A. Markel (as authorized on 1/28/2015)

Gregory A. Markel

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Attorneys for BARCLAYS BANK PLC

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17 DATED: January 28, 2015

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WILMER CUTLER PICKERING HALE AND DORR LLP

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Seth P. Waxman

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Attorneys for BARCLAYS BANK PLC

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22 DATED: January 28, 2015

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By: /s/ Todd Mullins (as authorized on 1/28/2015)

Todd Mullins

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Attorneys for DANIEL BRIN and SCOTT CONNELLY

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1 DATED: January 28, 2015

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PAUL HASTINGS LLP

By: /s/ Michael L. Spafford (as authorized on 1/28/2015)

Michael L. Spafford

Attorneys for KAREN LEVINE and RYAN SMITH

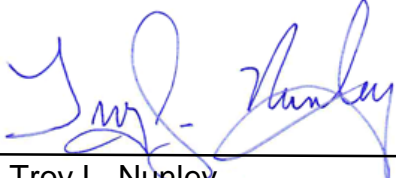
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**ORDER**

Pursuant to the stipulation of the parties, and for good cause appearing, it is hereby **ORDERED** that the hearing in this matter set for February 12, 2015 at 2:00 PM is continued until February 26, 2015 at 2:30 PM.

**IT IS SO ORDERED.**

Dated: January 30, 2015



Troy L. Nunley  
United States District Judge