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6	Attorneys for Defendants				
7	MARRONE BIO INNOVATIONS, INC., PAMELA G. MARRONE, DONALD J. GLIDEWELL, and JAMES B. BOYD,				
8	INITED STATES DI	TTDICT COLU	ЭT		
9	UNITED STATES DISTRICT COURT				
10	EASTERN DISTRICT OF CALIFORNIA				
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12	PAUL SAUSMAN, Individually and On Behalf of All Others Similarly Situated,	Case No.	2:14-cv-02072-MCE-KJN		
13	Plaintiff,		FION AND ORDER NG DEADLINES TO		
14	V.	RESPONE	TO THE COMPLAINT		
15	MARRONE BIO INNOVATIONS, INC.,	Judge: Date Filed:	Sept. 8, 2014		
16	PAMELA G. MARRONE, DONALD J. GLIDEWELL, and JAMES B. BOYD	Trial Date: 1	None Set		
17	Defendants.				
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	STIPULATION AND ORDER DEFERRING RESPONSES				

1	Pursuant to Civil Local Rule 144 and Federal Rule of Civil Procedure 6, the parties hereby		
2	stipulate, subject to the Court's approval, as follows:		
3	WHEREAS, this securities class action lawsuit was instituted in this district on		
4	September 8, 2014, on behalf of all persons who purchased or otherwise acquired the publicly		
5	traded securities of Marrone Bio Innovations, Inc. ("Marrone") between March 7, 2014, and		
6	September 2, 2014;		
7	WHEREAS, this securities class action lawsuit is governed by the Private Securities		
8	Litigation Reform Act of 1995, 15 U.S.C. § 78u-4 et seq. (the "Reform Act");		
9	WHEREAS, a lead plaintiff has not yet been appointed pursuant to 15 U.S.C.		
10	§ 78u-4(a)(3)(B) of the Reform Act;		
11	WHEREAS, the undersigned parties anticipate that, following the appointment of Lead		
12	Plaintiff, a consolidated complaint will be filed;		
13	WHEREAS, the Court issued an Order Requiring Joint Status Report on September 8,		
14	2014 (Dkt. No. 2) setting deadlines for the parties' conference pursuant to Fed. R. Civ. P. 26(f);		
15	WHEREAS, counsel for the parties have met and conferred and agreed that the due date		
16	for defendants' responses to the complaint and the filing of a joint status report should be deferred		
17	until a lead plaintiff is appointed;		
18	WHEREAS, the agreed-upon extension is not for the purpose of delay, promotes judicial		
19	efficiency, and will not cause prejudice to either party;		
20	WHEREAS, no previous extension of this deadline has been sought;		
21	NOW, THEREFORE, in the interest of judicial economy and good cause showing, the		
22	parties, by and through their undersigned counsel of record, hereby agree and stipulate, and the		
23	Court hereby orders, as follows:		
24	1. Without prejudice to any parties' right to seek interim relief, Defendants shall have no		
25	obligation to answer or otherwise respond to the complaint until after the Court appoints a lead		
26	plaintiff and lead counsel pursuant to the provisions of the Reform Act.		
27	2. Defendants will meet and confer with the court-appointed lead counsel within twenty		
28	(20) days following the appointment of a lead plaintiff and lead counsel to (a) confirm whether		
	STIPULATION AND ORDER DEFERRING RESPONSES Case No. 2:14-cv-02072-MCE-KJN sf-3470798		

1	the lead plaintiff will file a new complaint that supersedes all previously filed complaints or deem			
2	the existing complaint operative; (b) establish a common response date for all defendants,			
3	including a briefing schedule on defendants' anticipated motions to dismiss and (c) establish a			
4	date to provide the Court with the Joint Status report as set forth in the Order of September 8,			
5	2014.			
6	Dated: October 24, 2014	MORRISON & FOERSTER LLP		
7				
8		By: /s/ Judson E. Lobdell Judson E. Lobdell		
9	JORDAN ETH			
10		JUDSON E. LOBDELL Morrison & Foerster LLP		
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12		Telephone: 415.268.7000 Facsimile: 415.268.7522		
13		Attorneys for Defendants		
14		MARRONE BIO INNOVATIONS, INC., PAMELA G. MARRONE, DONALD J.		
15		GLIDEWELL, and JAMES B. BOYD		
16		ROBBINS GELLER RUDMAN & DOWD LLP By: /s/ <i>Willow E. Radcliffe</i> as authorized on		
17		<u>10/24/2014</u> Willow E. Radcliffe		
18		ROBBINS GELLER RUDMAN		
19		& DOWD LLP Post Montgomery Center		
20		One Montgomery Street, Suite 1800 San Francisco, CA 94104		
21		Telephone: 415/288-4545 415/288-4534 (fax)		
22		Attorneys for Plaintiff		
23		PAUL SAUSMAN		
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1	ORDER			
2	The Court ADOPTS the above stipulation (ECF No. 11) in its entirety, except that the			
3	parties are ORDERED to submit joint status reports informing the Court of the status of this case			
4	every sixty (60) days starting from the date this order is electronically filed until the appointment			
5	of a lead plaintiff and lead counsel and the establishment of a date to provide the Court with the			
6	Joint Status report required by the Court's September 8, 2014, Order (ECF No. 2). Failure to			
7	comply with this Order may result in the issuance of monetary sanctions on counsel for all parties			
8	and/or dismissal of this action, without further notice to the parties, for noncompliance with court			
9	orders and/or for failure to prosecute pursuant to this Court's inherent authority to control its			
10	docket and/or Federal Rule of Civil Procedure 41(b).			
11	IT IS SO ORDERED.			
12	Dated: October 29, 2014			
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14	MORRISON C. ENGLAND, JR., CHIEF JUDGE			
15	UNITED STATES DISTRICT COURT			
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28	STIPHI ATION AND ORDER DEFERRING RESPONSES			