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 9 *Fund III QP, L.P. and Special Situations*
 10 *Cayman Fund, L.P. and additional named*
 11 *Plaintiff David M. Fineman*

12 **UNITED STATES DISTRICT COURT**
 13 **EASTERN DISTRICT OF CALIFORNIA**

14 SPECIAL SITUATIONS FUND III QP, L.P.,
 15 SPECIAL SITUATIONS CAYMAN FUND, L.P.
 16 and DAVID M. FINEMAN, Individually and On
 17 Behalf of All Others Similarly Situated,

18 Plaintiffs,

19 v.

20 MARRONE BIO INNOVATIONS, INC.,
 21 PAMELA G. MARRONE, JAMES B. BOYD,
 22 DONALD J. GLIDEWELL, HECTOR ABSI,
 23 ELIN MILLER, RANJEET BHATIA, PAMELA
 24 CONTAG, TIM FOGARTY, LAWRENCE
 25 HOUGH, JOSEPH HUDSON, LES LYMAN,
 26 RICHARD ROMINGER, SHAUGN STANLEY,
 27 SEAN SCHICKENDANZ, and ERNST &
 28 YOUNG LLP,

Defendants.

Case No. 2:14-cv-02571-MCE-KJN

CONSOLIDATED CLASS ACTION

Chief Judge Morrison C. England, Jr.

**ORDER SUSPENDING
 DEADLINE TO RESPOND TO
 CONSOLIDATED COMPLAINT
 AND DIRECTING PLAINTIFFS
 TO FILE MOTION FOR LEAVE
 TO AMEND**

Order Suspending Deadline To Respond
 To Second Amended Complaint And Directing
 Plaintiffs To File Motion For Leave To Amend
 Master Case No. 2:14-cv-2571-MCE-KJN

1 The Court has received the March 3, 2016 letter from Lowenstein Sandler LLP (ECF No.
2 52), counsel to Lead Plaintiffs Special Situations Fund III QP, L.P and Special Situations
3 Cayman Fund, L.P. (“Lead Plaintiffs”), as well as additional named Plaintiff David M. Fineman
4 (collectively with Lead Plaintiffs, “Plaintiffs”), and Lead Counsel for the class in this
5 consolidated securities fraud class action. Plaintiffs request that the deadline for Defendant
6 Ernst & Young LLP (“E&Y”) to respond to the Second Consolidated Amended Complaint (ECF
7 No. 44) be suspended pending Plaintiffs’ anticipated motion for leave to amend pursuant to
8 Federal Rule of Civil Procedure 15(a)(2), which Plaintiffs indicate that they intend to file no
9 later than March 15, 2016.

10 IT IS THEREFORE ORDERED that Plaintiffs shall file their anticipated motion for
11 leave to amend no later than March 15, 2016; and it is further


12 ORDERED that E&Y’s current deadline to respond to the Second Consolidated
13 Amended Complaint be and hereby is suspended; and it is further

14 ORDERED that E&Y shall file and serve its opposition to Plaintiffs’ motion for leave to
15 amend, if any, no later than twenty-one (21) days after Plaintiffs file and serve the motion; and it
16 is further

17 ORDERED that if E&Y opposes Plaintiffs’ motion for leave to amend, Plaintiffs shall
18 file and serve their reply brief within fourteen (14) days after E&Y files and serves its
19 opposition.

20 IT IS SO ORDERED.

21 Dated: March 10, 2016

22 
23 MORRISON C. ENGLAND, JR., CHIEF JUDGE
24 UNITED STATES DISTRICT COURT