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13 UNITED STATES DISTRICT COURT  
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

16 Plaintiffs JERRY CHU and ANDREA X.  
 17 BULOW, individually, and on behalf of all  
 others similarly situated,

18 Plaintiffs,

19 v.

20 WELLS FARGO INVESTMENTS, LLC,

21 Defendants.

Case Nos. C-05-04526 MHP;  
 C-06-07924 MHP

*Consolidated Action*

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER MODIFYING DEADLINES**

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**STIPULATION**

WHEREAS, on January 8, 2009, the Court issued an Order approving a stipulation between the parties that modified deadlines for completing private mediation;

WHEREAS, according to the Court’s January 8, 2009 Order, the deadline for completing private mediation was January 19, 2009;

WHEREAS, the parties engaged in a full day private mediation session on January 19, 2009, in San Francisco;

WHEREAS, although the parties made progress towards reaching a settlement, they were unable to come to an agreement;

WHEREAS, the parties are continuing settlement discussions with the private mediator, believe that a further mediation session may be beneficial and effective, and have agreed to engage in an additional private mediation session to occur no later than March 31, 2009;

WHEREAS, the parties will submit to the Court the proposed revised deadlines within ten (10) days of the mediation, if such mediation is unsuccessful;

NOW, THEREFORE, Plaintiffs and WFI, through their undersigned respective counsel, stipulate and request that the Court vacate the existing mediation deadline of January 19, 2009, continue to stay the litigation proceedings until mediation has been completed, and extend the mediation deadline until March 31, 2009.

1 To avoid prejudice to the parties and to facilitate possible settlement, GOOD CAUSE  
2 exists to modify the deadlines in this action as described herein.

3 Dated: January 30, 2009

MORGAN LEWIS & BOCKIUS LLP

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5 By:  /s/ Daryl Landy  
6 Daryl Landy  
7 Attorneys for Defendant  
8 WELLS FARGO INVESTMENTS, LLC

9 Dated: January 30, 2009

HOFFMAN & LAZEAR

10 By:  /s/ Morgan Mack (as authorized on  
11 January 30, 2009)  
12 Morgan Mack  
13 Attorneys for Plaintiff  
14 JERRY CHU

15 Dated: January 30, 2009

SCOTT COLE & ASSOCIATES, APC

16 By:  /s/ Matthew R. Bainer (as authorized on  
17 January 30, 2009)  
18 Matthew R. Bainer  
19 Attorneys for Plaintiff  
20 ANDREA X. BULOW

21 **ORDER**

22 In light of the foregoing STIPULATION of the parties, the Court ORDERS that the  
23 existing mediation deadline is extended to March 31, 2009. The Court further ORDERS that,  
24 within ten (10) days of the mediation, the parties will submit to the Court proposed revised  
25 deadlines, if necessary.

26 Dated: 2/2/2009

27 HON. MA  
28 U.S. Distri

