

1 BINGHAM McCUTCHEN LLP  
 DALE E. BARNES (SBN 99273)  
 2 STEPHANIE L. THOMASES (SBN 197257)  
 KRISTEN A. PALUMBO (SBN 215857)  
 3 Three Embarcadero Center  
 San Francisco, CA 94111-4067  
 4 Telephone: (415) 393-2000  
 Facsimile: (415) 393-2286  
 5 email: dale.barnes@bingham.com  
 stephanie.thomases@bingham.com  
 6 kristen.palumbo@bingham.com

7 Attorneys for Defendant  
 KPMG LLP

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12  
 13 WILLIAM M. HAWKINS III,  
 14 Plaintiff,  
 15 v.  
 16 KPMG LLP, a limited liability partnership,  
 HARVEY ARMSTRONG, an individual,  
 17 QUELLOS GROUP LLC, a Delaware limited  
 liability company, and DOES 1 through 20,  
 18 inclusive,  
 19 Defendants.

Case No. C 05-04763 MHP

**STIPULATED REQUEST FOR  
 ORDER CHANGING TIME;  
~~PROPOSED~~ ORDER CHANGING  
 TIME**

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20  
 21 Plaintiff William M. Hawkins III and Defendants KPMG LLP and Harvey  
 22 Armstrong, by and through their respective counsel of record, hereby agree and stipulate as  
 23 follows:

24 WHEREAS, on July 15, 2005, Plaintiff filed his complaint in the Superior Court  
 25 for the State of California, County of San Mateo;

26 WHEREAS, on September 12, 2005, Plaintiff served the complaint on

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STIPULATED REQUEST FOR ORDER CHANGING TIME;  
 [PROPOSED] ORDER CHANGING TIME

1 Defendants KPMG, Harvey Armstrong and Quellos Group LLC;

2 WHEREAS, on November 21, 2005, Defendant KPMG filed a Notice of  
3 Removal, thereby removing the complaint from state court to this Court;

4 WHEREAS, pursuant to Rule 81(c) of the Federal Rules of Civil Procedure,  
5 Defendants KPMG's and Harvey Armstrong's responses to the complaint are currently due on  
6 November 30, 2005;

7 WHEREAS, Defendant KPMG is a party to a class action settlement involving  
8 the subject matter of this action, which was preliminarily approved on Friday, October, 31, 2005  
9 in the United States District Court for the District of New Jersey;

10 WHEREAS, Plaintiff has until December 12, 2005 to opt out of the class action  
11 settlement;

12 WHEREAS, Plaintiff is enjoined from prosecuting this action against KPMG and  
13 Mr. Armstrong unless and until he opts out of the class action;

14 WHEREAS, Plaintiff is considering amending his complaint if he opts out of the  
15 class action;

16 WHEREAS, the parties to this stipulation have not previously sought an order  
17 changing time from this Court; and

18 WHEREAS, the changes of time set forth below may assist the efficient  
19 administration of justice and should not affect the schedule for this case.

20 NOW THEREFORE, subject to the Court's approval:

- 21 1. Plaintiff may file an amended complaint on or before December 29, 2005;  
22 and  
23 2. Defendants KPMG's and Armstrong's responses to the operative  
24 complaint must be filed on or before January 9, 2006.

25 **IT IS SO STIPULATED.**

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