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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

14 ROSENBAUM CAPITAL, LLC,
 15 Plaintiff,

16 v.

17 JOHN E. MCNULTY, TIM STEINKOPF and
 18 SECURE COMPUTING CORPORATION,
 19 Defendant.

No. 3:07-CV-0392-SC

**JOINT STIPULATION AND
 [PROPOSED] ORDER REGARDING
 BRIEFING SCHEDULE FOR
 PRELIMINARY APPROVAL OF
 SETTLEMENT**

The Honorable Samuel Conti

1 WHEREAS the parties to this litigation, Lead Plaintiff Rosenbaum Capital, LLC
2 and defendants Secure Computing Corporation (“Secure” or the “Company”), John McNulty and
3 Tim Steinkopf (collectively “the parties”) engaged in a mediation on October 14, 2008 before the
4 Hon. Layn Phillips (Ret.) that resulted in a settlement in principal;

5 WHEREAS the parties are in the process of finalizing the documents
6 memorializing the terms of that settlement, including the Stipulation of Settlement, the Notice of
7 Settlement, the [Proposed] Final Judgment, the [Proposed] Preliminary Approval Order, the
8 [Proposed] Order Approving Award of Attorneys’ Fees and Reimbursement of Expenses, the
9 Summary Notice for Publication and the Proof of Claim and Release;

10 WHEREAS on December 2, 2008 the Court ordered that Lead Plaintiff file its
11 Motion for Preliminary Approval of Settlement (“the Preliminary Approval Motion”) and
12 scheduled the hearing on Lead Plaintiff’s Preliminary Approval Motion for February 6, 2009 at
13 10:00a.m.;

14 WHEREAS there remains a final outstanding issue between the Company and its
15 insurer; however it is believed that this issue can be resolved on or before January 2, 2009, which
16 would be the normal 35-day notice deadline for a February 6, 2009 hearing;

17 WHEREAS the parties request that the briefing schedule for Lead Plaintiff’s
18 Preliminary Approval Motion be modified to provide that the Stipulation of Settlement and Lead
19 Plaintiff’s Preliminary Approval Motion be filed on or before January 2, 2009 and that the
20 hearing on the Preliminary Approval Motion proceed as currently scheduled on February 6, 2009
21 at 10:00a.m.

22 WHEREAS Defendants do not intend to oppose Lead Plaintiff’s Preliminary
23 Approval Motion so that the parties do not expect that opposition or reply memoranda will be
24 filed in advance of the hearing;

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THEREFORE, IT IS STIPULATED AND AGREED by Lead Plaintiff and Defendants, through their respective counsel of record, as follows:

The briefing schedule for the Preliminary Approval Motion shall be modified so that the Stipulation of Settlement and Lead Plaintiff's Preliminary Approval Motion may be filed on or before January 2, 2009 which is no less than 35 days before the current hearing date of February 6, 2009.

IT IS SO STIPULATED:

By: _____/s/
William B. Federman (admitted *Pro Hac Vice*)
FEDERMAN & SHERWOOD
10205 N. Pennsylvania Avenue
Oklahoma City, Oklahoma 73120
Telephone: (405) 235-1560
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Lead Counsel for Plaintiffs

By: _____/s/
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Attorneys for Defendants
John E. McNulty, Tim Steinkopf and
Secure Computing Corporation

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I, Michael L. Charlson, am the ECF User whose ID and password are being used to file this Joint Stipulation and [Proposed] Order Regarding Briefing Schedule for Preliminary Approval of Settlement. In compliance with General Order 45, X.B., I hereby attest that William B. Federman has concurred in this filing.

DATED: December 19, 2008

HOGAN & HARTSON LLP

By _____ /s/

Michael L. Charlson

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~~PROPOSED~~ ORDER

Upon reading and considering the stipulation of the parties and good cause appearing,

IT IS HEREBY ORDERED that:

1. The hearing on the Motion for Preliminary Approval of Settlement will take place on February 6, 2009, at 10 a.m.
2. The briefing schedule for the Motion for Preliminary Approval of Settlement is hereby modified.
3. The Stipulation of Settlement and Lead Plaintiff's Preliminary Approval Motion may be filed on or before January 2, 2009, which is no less than 35 days before the hearing date of February 6, 2009.

Dated: January 6, 2008

The Honorable
U.S. District Judge

