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15 Co-Lead Counsel for Plaintiffs  
 16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18 In re NUVELO, INC. SECURITIES  
LITIGATION

Master File No. 3:07-cv-04056-VRW

CLASS ACTION

19 \_\_\_\_\_  
 20 This Document Relates To:  
 21 ALL ACTIONS.  
 22 \_\_\_\_\_

) STIPULATION AND ~~[PROPOSED]~~ ORDER  
 ) SETTING BRIEFING SCHEDULE FOR  
 ) OPPOSITION TO AND REPLY IN  
 ) SUPPORT OF DEFENDANTS' MOTION TO  
 ) DISMISS

1           **WHEREAS**, lead plaintiffs filed their Second Consolidated Complaint on January 23,  
2 2009;

3           **WHEREAS**, lead plaintiffs filed their Corrected Second Consolidated Amended  
4 Complaint (“SAC”) on February 17, 2009;

5           **WHEREAS**, the hearing on Defendants’ Motion to Dismiss was noticed for June 25,  
6 2009 at 2:30 p.m., and was continued to July 15, 2009 at 2:30 p.m. pursuant to the Court’s  
7 request;

8           **WHEREAS**, pursuant to the Stipulation and Order signed on March 31, 2009, lead  
9 plaintiffs’ opposition to Defendants’ Motion to Dismiss is due to be filed on or before May 13,  
10 2009, and Defendants’ reply brief is due to be filed on or before June 8, 2009;

11           **WHEREAS**, plaintiffs requested an extension of time to complete their opposition brief  
12 in order to resolve internal problems and defendants agreed to give plaintiffs a 2 day extension  
13 from May 13, 2009 to May 15, 2009;

14           **WHEREAS**, the parties met and confirmed and defendants agreed to the proposed  
15 extension;

16           **WHEREAS**, this extension of time will not impact any other deadlines set by the Court.

17           **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by and  
18 between the parties hereto through their respective counsel of record, subject to the approval by  
19 the Court that:

- 20           1. Lead plaintiffs have through and including May 15, 2009 to file an opposition to  
21           Defendants’ Motion to Dismiss; and  
22           2. Defendants shall have through and including June 10, 2009 to file a reply brief.
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**IT IS SO STIPULATED.**

Dated: May 12, 2009

COOLEY GODWARD KRONISH LLP

/s/ Jeffrey M. Kaban

Jeffrey M. Kaban

*Attorneys for Defendants*

Dated: May 12, 2009

BERGER & MONTAGUE, P.C.

/s/ Barbara A. Podell

Barbara A. Podell

*Co-Lead Counsel for Plaintiffs*

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*Liaison Counsel*

1 DATED: May 12, 2009

COOLEY GODWARD KRONISH LLP  
Jeffrey M. Kaban

2 /s/ Jeffrey M. Kaban

3 Jeffrey M. Kaban

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5 3000 El Camino Real  
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*Attorneys for Defendants*

9 I, Carole Broderick, am the ECF user whose ID and password are being used to file this  
10 STIPULATION AND [PROPOSED] ORDER EXTENDING PAGE LIMITS FOR LEAD  
11 PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION TO DISMISS. In compliance  
12 with General Order 45, X.B., I hereby attest that Jeffrey M. Kaban has concurred in this filing.  
13

14 /s/Carole A. Broderick

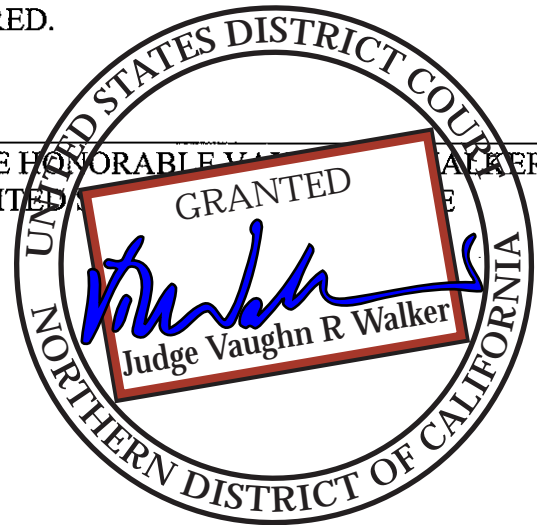
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**ORDER**

Pursuant to stipulation, IT IS SO ORDERED.

DATED: May 13, 2009

THE HONORABLE VAUGHN R. WALKER  
UNITED STATES DISTRICT COURT



**CERTIFICATE OF SERVICE**

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I hereby certify that on May 12, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document of paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct, Executed on May 12, 2009.

/s/ Carole A. Broderick  
Carole A. Broderick

## Mailing Information for a Case 3:07-cv-04056-VRW

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## Manual Notice List

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