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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 OAKLAND DIVISION

19 DANNY McCASLAND, Individually and On  
 Behalf of All Others Similarly Situated,

20 Plaintiff,

21 v.

22 FORMFACTOR, INC., et al.,

23 Defendant.

Case No. C-07-05545-SI

**STIPULATION AND [PROPOSED]  
 ORDER VACATING DATE FOR  
 INITIAL CASE MANAGEMENT  
 CONFERENCE**

Date: February 8, 2008  
 Time: 2:00 P.M.  
 Court Room: 10

24 WHEREAS, the initial complaint in this action was filed on October 31, 2007;

25 WHEREAS, the Order assigning the action to Judge Illston set an Initial Case  
 26 Management Conference for February 8, 2008;

27 WHEREAS, the Order setting the Initial Case Management Conference requires the  
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1 parties to comply with various procedures, including initial disclosures, and the filing of a  
2 Rule 26(f) Report and Joint Case Management Conference Statement, in connection with the  
3 Conference;

4 WHEREAS, this action is subject to the provisions of the Private Securities Litigation  
5 Reform Act of 1995 (the "PSLRA");

6 WHEREAS, the PSLRA requires the appointment of a lead plaintiff and lead counsel to  
7 represent plaintiff, provides for the filing of a consolidated amended complaint by the lead  
8 plaintiff and counsel for the lead plaintiff, and imposes a discovery stay pending resolution of a  
9 motion to dismiss the consolidated amended complaint;

10 WHEREAS, there has been no appointment of a lead plaintiff or lead counsel in this  
11 action, and no consolidated amended complaint has been filed; and

12 WHEREAS, the procedures to be completed in connection with the Initial Conference are  
13 incompatible with the requirements of the PSLRA, and the scheduling of an Initial Case  
14 Management Conference in this action is premature;

15 The parties hereto hereby STIPULATE and AGREE:

16 1. That the February 8, 2002 Initial Case Management Conference should be  
17 taken off calendar; and

18 2. That the procedures to be completed in connection with the Initial Case  
19 Management Conference should be postponed pending any rescheduling of the Initial Case  
20 Management Conference.

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Dated: January 29, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

*/s/ Robert P. Varian*

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Dated: January 29, 2008

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*/s/ Shirley Huang*

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I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

ORRICK HERRINGTON & SUTCLIFFE LLP

*/s/ Robert P. Varian*

ROBERT P. VARIAN  
Attorneys for Defendant

Based on the Stipulation of the parties, and good cause appearing therefore,

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**IT IS HEREBY ORDERED:**

1. That the February 8, 2008 date for the Initial Case Management Conference is vacated; and
2. That the parties are not required to comply with the procedures to be completed in connection with the Initial Case Management Conference pursuant to Civil Local Rule 16-2.

Dated January \_\_, 2008.



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HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE