

1 ROBERT P. VARIAN (SB No. 107459)
 Email: *rvarian@orrick.com*
 2 JONATHAN B. GASKIN (SB No. 203625)
 Email: *jgaskin@orrick.com*
 3 DANIELLE P. VAN WERT (218245)
dvanwert@orrick.com
 4 ERIN H. REDING (252691)
ereding@orrick.com
 5 ORRICK, HERRINGTON & SUTCLIFFE LLP
 The Orrick Building
 6 405 Howard Street
 San Francisco, CA 94105-2669
 7 Telephone: 415-773-5700
 Facsimile: 415-773-5759

8 Attorneys for Defendants

9 JEFFREY W. LAWRENCE (166806)
jeffreyl@csgrr.com
 10 SHIRLEY H. HUANG (206854)
shirleyh@csgrr.com
 11 COUGHLIN STOIA GELLER
 12 RUDMAN & ROBBINS LLP
 100 Pine Street, Suite 2600
 13 San Francisco, CA 94111
 Telephone: 415-288-4545
 14 Facsimile: 415-288-4534

15 Attorneys for Plaintiffs

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

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

21 Plaintiff,

22 v.

23 FORMFACTOR, INC., et al.,

24 Defendant.

Case No. 3:07-CV-05545

**STIPULATION AND JOINT
 REQUEST [PROPOSED] ORDER
 SETTING CASE SCHEDULE**

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WHEREAS, this case is governed by the Private Securities Litigation Reform Act of 1995, and discovery is currently stayed pending resolution of a motion to dismiss;

WHEREAS, on February 7, 2008 the Court ordered 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”; and

WHEREAS, defendants have filed a motion to dismiss plaintiffs' Second Amended Complaint, which is set for hearing on January 23, 2009 and an initial case management conference scheduled for the same day;

Subject to the approval of the Court, the parties hereby stipulate and agree as follows:

- 1. The parties will meet and confer regarding initial disclosures, ADR process selection and a discovery plan no later than 14 days after entry of an order denying defendants' motion to dismiss, and submit a Rule 26(f) Report and a Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference no later than 14 days after completion of the meet-and-confer.

Dated: December 19, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/ Robert P. Varian
 ROBERT P. VARIAN
 Attorneys for Defendant

ROBERT P. VARIAN (SB No. 107459)
 JONATHAN B. GASKIN (SB No. 203625)
 DANIELLE P. VAN WERT (218245)
 ERIN H. REDING (252691)
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Dated: December 19, 2008

COUGHLIN STOIA GELLER RUDMAN &
ROBBINS LLP

/s/ Jeffrey W. Lawrence
JEFFREY W. LAWRENCE
Attorneys for Plaintiff

JEFFREY W. LAWRENCE (166806)
SHIRLEY H. HUANG (206854)
COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415-288-4545
Facsimile: 415-288-4534

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 and Joint Request of the parties, and good cause appearing therefore, **IT IS SO ORDERED.**

Dated _____, 2008.



HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE