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10 Lead Counsel for Plaintiffs

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13	In re VERIFONE HOLDINGS, INC.	)	Master File No. 3:07-cv-06140-MHP
	SECURITIES LITIGATION	)	
14	_____	)	<u>CLASS ACTION</u>
		)	
15	This Document Relates To:	)	STIPULATION AND <del>PROPOSED</del> ORDER
		)	ALLOWING CONSOLIDATED BRIEFING
16	ALL ACTIONS.	)	IN OPPOSITION TO DEFENDANTS'
	_____	)	MOTIONS TO DISMISS

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1 Pursuant to Civil L.R. 7-12, the parties hereby stipulate as follows:

2 1. On January 14, 2010, this Court entered the parties' Stipulation and Order Regarding  
3 Amendment of Complaint and Modification of Briefing Schedule for Defendants' Motions to  
4 Dismiss;

5 2. On January 19, 2010, plaintiff filed the Second Amended Consolidated Complaint for  
6 Violations of the Federal Securities Laws;

7 3. On March 5, 2010, defendants filed three separate motions to dismiss, as follows:  
8 (1) defendants VeriFone Holdings, Inc., Douglas Bergeron, William Atkinson and Craig Bondy filed  
9 one 25-page motion to dismiss; (2) defendant Barry Zwarenstein filed one 11-page motion to  
10 dismiss; and (3) defendant Paul Periolat ("Periolat") filed one 21-page motion to dismiss;

11 4. Defendants' respective motions to dismiss joined in and incorporated all other  
12 motions by reference;

13 5. The deadline for plaintiff's opposition brief(s) is April 19, 2010;

14 6. Pursuant to Civil L.R. 7-3(a) and (c), plaintiff ~~is permitted to file three separate 25-~~  
15 ~~page briefs in opposition to~~ **shall** **one 35-page**  
**non-Periolat** ~~defendants' motions to dismiss; and~~

16 7. Plaintiff has opted to oppose defendant Periolat's motion in a separate 25-page  
17 opposition brief;

18 8. Plaintiff and the non-Periolat defendants believe it would be more efficient and cost  
19 effective to allow plaintiff to consolidate briefing for the non-Periolat defendants into one combined  
20 brief.

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1           9.       Although the non-Periolat defendants believe that such a combined brief should not  
2 exceed 40 pages, as the parties previously stipulated in connection with plaintiff's prior opposition to  
3 the motions to dismiss the previous Consolidated Complaint (Docket Entries 173-174), the non-  
4 Periolat defendants have agreed to plaintiff's request for a combined opposition brief not to exceed  
5 ~~45~~<sup>35</sup> pages in order to avoid a potential administrative motion on the issue.

6           IT IS SO STIPULATED.

7 DATED: March 30, 2010

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/s/

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19 DATED: March 30, 2010

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Craig Bondy

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DATED: March 30, 2010

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I, Eli R. Greenstein, am the ECF User whose ID and password are being used to file this  
STIPULATION AND [PROPOSED] ORDER ALLOWING CONSOLIDATED BRIEFING IN  
OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS. In compliance with General Order  
45, X.B., I hereby attest that Scott C. Hall and Brian L. Levine have concurred in this filing.

\_\_\_\_\_  
/s/  
ELI R. GREENSTEIN

\* \* \*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED. AS MODIFIED

DATED: 3/31/2010

\_\_\_\_\_  
THE HONORABLE MARILYN HALL PATEL  
UNITED STATES DISTRICT COURT



1 CERTIFICATE OF SERVICE

2 I hereby certify that on March 30, 2010, I electronically filed the foregoing with the Clerk of  
3 the Court using the CM/ECF system which will send notification of such filing to the e-mail  
4 addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have  
5 mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF  
6 participants indicated on the attached Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the  
8 foregoing is true and correct. Executed on March 30, 2010.

9 \_\_\_\_\_  
10 /s/

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