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Lead Counsel for Plaintiffs

13 UNITED STATES DISTRICT COURT
 14
 15 NORTHERN DISTRICT OF CALIFORNIA

16	In re VERIFONE HOLDINGS, INC. SECURITIES LITIGATION)	Master File No. 3:07-cv-06140-EMC
17	_____)	<u>CLASS ACTION</u>
18	This Document Relates To:)	STIPULATION AND [PROPOSED] ORDER
19	ALL ACTIONS.)	VACATING CASE MANAGEMENT
20	_____)	CONFERENCE AND SETTING DATE FOR
)	FILING MOTION FOR PRELIMINARY
)	APPROVAL OF SETTLEMENT

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1 WHEREAS, on February 8, 2013, the Ninth Circuit issued a formal mandate in accordance
2 with Fed. R. App. Proc. 41 and Ninth Cir. Rules 41-1 and 41-2 remanding the action back to the
3 District Court;

4 WHEREAS, on April 3, 2013, the Court issued a Case Management Conference Order in
5 Reassigned Cases, which set a case management conference for June 27, 2013, and pursuant to
6 which the parties are currently to file a case management conference statement by June 20, 2013
7 (Dkt. No. 296);

8 WHEREAS, on March 26, 2013, as set forth in the parties' previous filings with the Court
9 (Dkt. Nos. 298, 300, 302), the parties participated in a full-day meditation in this action and
10 settlement discussions continued thereafter;

11 WHEREAS, on June 17, 2013, the parties reached an agreement in principle that would
12 resolve this action in its entirety, subject to Court approval; and

13 WHEREAS, the parties therefore respectfully submit that the interests of judicial economy
14 would be best served by vacating the case management conference set for June 27, 2013, as well as
15 the requirement that the parties file a case management conference statement by June 20, 2013, and
16 by setting a date for the filing of a motion for preliminary approval of settlement and supporting
17 papers;

18 NOW THEREFORE, IT IS HEREBY AGREED between plaintiffs and defendants, by and
19 through their respective counsel, subject to Court approval, that:

20 1. The case management conference currently set for June 27, 2013, and the case
21 management conference statement due June 20, 2013, are hereby vacated.

22 2. The deadlines for defendants to file their answers to plaintiffs' Third Amended
23 Complaint, as well as for the parties to exchange their initial disclosures pursuant to Fed. R. Civ. P.
24 26(a)(1), are vacated.

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1 DATED: June 19, 2013

MORRISON & FOERSTER LLP
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D. ANTHONY RODRIGUEZ

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5 s/ Jordan Eth
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Attorneys for Defendant Barry Zwarenstein

10 **Certificate Pursuant to Local Rule 5-1(i)(3)**

11 I, Christopher M. Wood, am the ECF User whose identification and password are being used
12 to file the Stipulation and [Proposed] Order Vacating Case Management Conference and Setting
13 Date for Filing Motion for Preliminary Approval of Settlement. In compliance with Local Rule 5-
14 1(i)(3), I hereby attest that Brendan P. Cullen and Jordan D. Eth have concurred in this filing.

15 Dated: June 19, 2013

s/ Christopher M. Wood
CHRISTOPHER M. WOOD

16 * * *

17 **ORDER**

18 Based on the above Stipulation of the parties, by and through their counsel of record, and for
19 good cause showing, IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

20 1. The case management conference currently set for June 27, 2013 and the
21 case management conference statement due June 20, 2013, are hereby vacated.

22 2. The deadlines for defendants to file their answers to plaintiffs' Third
23 Amended Complaint, as well as for the parties to exchange their initial disclosures pursuant to
24 Fed. R. Civ. P. 26(a)(1), are vacated.

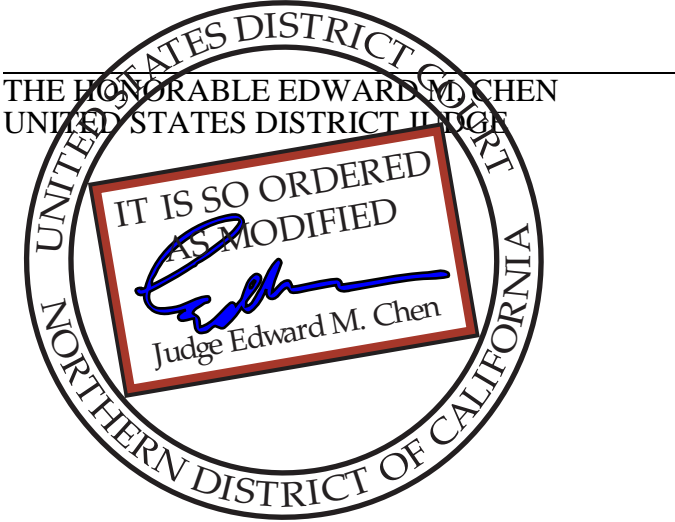
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3. The parties shall file a motion for preliminary approval of settlement on or before August 9, 2013.

IT IS SO ORDERED.

CMC is reset for 10/17/13 at 9:00 a.m. An update joint cmc statement shall be filed by 10/10/13.

DATED: 6/24/13



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CERTIFICATE OF SERVICE

I hereby certify that on June 19, 2013, I authorized the electronic filing of 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 caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 19, 2013.

s/ Christopher M. Wood

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Mailing Information for a Case 3:07-cv-06140-EMC

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

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