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5 Attorneys for Defendant  
 UBS SECURITIES LLC

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 7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN FRANCISCO DIVISION

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 11 RICHARD J. STOEHR,

Case No. C-08-0185-SC

12 Plaintiff,

13 v.

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING HEARING ON  
 MOTION TO DISMISS AMENDED  
 COMPLAINT**

14 UBS SECURITIES LLC AND DOES 1  
 15 THROUGH 50,

16 Defendants.

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1 In light of the death of the only named plaintiff, and in order to allow plaintiff's estate  
2 sufficient time to determine the appropriate course of action, the parties Hereby Stipulate and  
3 Agree as follows:

4 Defendant's Motion to Dismiss the Amended Complaint, which is scheduled to be heard  
5 by the Court on January 23, 2009 at 10:00 a.m., should be continued until March 6, 2009 at  
6 10:00 a.m.

7 Further, the parties Hereby Stipulate and Agree that the Status Conference which was  
8 scheduled for January 23, 2009 should be continued until March 6, 2009 at 10:00 a.m.

9 Discovery is Stayed until the Status Conference on March 6, 2009.

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11 Dated: January 5, 2009

KEKER & VAN NEST, LLP

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By: /s/ Eric MacMichael

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ERIC MACMICHAEL  
Attorneys for Defendant

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16 Dated: January 5, 2009

JONES, CLIFFORD, JOHNSON & JOHNSON,  
LLP

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By: /s/ Kenneth G. Johnson

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KENNETH G. JOHNSON  
Attorneys for Plaintiff

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~~[PROPOSED]~~ ORDER

Pursuant to the Stipulation above, the Defendant's Motion to Dismiss the Amended Complaint, which is scheduled to be heard by the Court on January 23, 2009 at 10:00 a.m., is hereby continued until March 6, 2009 at 10:00 a.m.

Further, the Status Conference which was scheduled for January 23, 2009 at 10:00 a.m. is continued until March 6, 2009 at 10:00 a.m.

Finally, discovery is Hereby Stayed until the Status Conference on March 6, 2009.

**IT IS SO ORDERED.**

Dated: January 6, 2009

By: \_\_\_\_\_ THE HONORABLE JUDGE SAMUEL CONTI

