

1 Daniel C. Girard (State Bar No. 114826)
 dcg@girardgibbs.com
 2 Jonathan K. Levine (State Bar No. 220289)
 jkl@girardgibbs.com
 3 Aaron M. Sheanin (State Bar No. 214472)
 ams@girardgibbs.com
 4 Christina H. C. Sharp (State Bar No. 245869)
 chc@girardgibbs.com
 5 **GIRARD GIBBS LLP**
 601 California Street, Suite 1400
 6 San Francisco, CA 94108
 Telephone: (415) 981-4800
 7 Facsimile: (415) 981-4846

8 Counsel for the Sitrin Group

9
10 **UNITED STATES DISTRICT COURT**

11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 RICHARD S. BONDAR, as Trustee of the)
 13 Bondar Family Trust Dated 4/1/91, Individually)
 And On Behalf of All Others Similarly Situated,)
 14 Plaintiff,)

Case No. CV-08-2599 (JSW)

**STIPULATION AND ~~PROPOSED~~
ORDER SETTING SCHEDULE**

15 v.

16 BANK OF AMERICA CORPORATION, BANC)
 17 OF AMERICA INVESTMENT SERVICES,)
 18 INC., and BANC OF AMERICA SECURITIES,)
 LLC,)

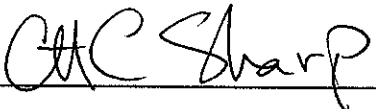
19 Defendants.
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1 Lead Plaintiffs the Charles T. Sitrin Network of Homes & Services, Inc. and the Charles T. Sitrin
2 Healthcare Center, Inc.; Alan Wofsy, Myrtle Street Flats LLC dba Sunrise Properties, and Emeric-
3 Goodman Associates LLC; and Dennis J. Pitocco (collectively the "Sitrin Group" or "Lead Plaintiffs"),
4 and Defendants Bank Of America Corporation, Banc Of America Investment Services, Inc., and Banc
5 Of America Securities, LLC (collectively "Defendants"), by and through their respective counsel,
6 hereby stipulate as follows:

- 7 1) Lead Plaintiffs' amended complaint shall be filed on or before January 22, 2009;
- 8 2) Defendants shall answer, move against or otherwise respond to the amended complaint
9 on or before March 13, 2009;
- 10 3) Should Defendants file a motion to dismiss the amended complaint, the briefing schedule
11 on such motion shall be as follows:
 - 12 a) Lead Plaintiffs shall file any opposition to Defendants' motion to dismiss on or
13 before May 7, 2009; and
 - 14 b) Defendants shall file any reply in support of the motion to dismiss on or before
15 May 28, 2009.

17 DATED: December 16, 2008

GIRARD GIBBS LLP

18 By: 

19
20 Daniel C. Girard
Jonathan K. Levine
21 Aaron M. Sheanin
Christina H.C. Sharp
22 601 California Street, 14th Floor
San Francisco, CA 94108
23 Telephone: (415) 981-4800
Facsimile: (415) 981-4846

24 *Lead Counsel for the Class*

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DATED: December 15, 2008

O'MELVENY & MYERS LLP

By:  _____

Debra S. Belaga
Aaron M. Rofkahr
Embarcadero Center West
275 Battery Street
San Francisco, CA 94111-3305
Telephone: (415) 984-8700
Facsimile: (415) 984-8701

Counsel for Defendants

~~PROPOSED~~ ORDER

Having reviewed the above stipulation, **IT IS HEREBY ORDERED** that:

- 1) Lead Plaintiffs' amended complaint shall be filed on or before January 22, 2009;
- 2) Defendants shall answer, move against or otherwise respond to the amended complaint on or before March 13, 2009;
- 3) Should Defendants file a motion to dismiss the amended complaint, the briefing schedule on such motion shall be as follows:
 - a) Lead Plaintiffs shall file any opposition to Defendants' motion to dismiss on or before May 7, 2009; and
 - b) Defendants shall file any reply in support of the motion to dismiss on or before May 28, 2009.

The hearing on any motion to dismiss shall be heard on June 19, 2008 at 9:00 a.m.

DATED: December 16, 2008



THE HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE