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16 **UNITED STATES DISTRICT COURT**
 17 **NORTHERN DISTRICT OF CALIFORNIA**

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 20 CHUCK MacCONNACH and WALTER
 SCHMIDT, individually, and on behalf of all
 21 others similarly situated,

22 Plaintiffs,

23 v.

24 FIRST FRANKLIN FINANCIAL
 CORPORATION, and MERRILL LYNCH &
 25 CO., INC., GLOBAL MARKETS AND
 INVESTMENT BANKING GROUP,

26 Defendants.
 27
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Case No. 3:08-cv-04154 CRB

**STIPULATION AND
 [PROPOSED] ORDER TAKING
 STATUS CONFERENCE OFF
 CALENDAR AND SETTING
 DEADLINE FOR FURTHER
 ACTION**

1 WHEREAS, a status conference is currently set in this matter for Friday, May 1,
2 2009;

3 WHEREAS, the parties have entered into a Term Sheet Settlement Agreement;
4 and

5 WHEREAS, the parties are currently working on a formal stipulation of settlement
6 and associated exhibits, which they will present to this Court for approval;

7 NOW, THEREFORE,

8 IT IS HEREBY STIPULATED by and among the parties hereto, through their
9 respective counsel of record, as follows:

- 10 1. The May 1, 2009, status conference shall be taken off calendar; and
- 11 2. On or before June 1, 2009, the parties shall file either a joint motion for settlement
12 approval or a status report informing the Court of their progress in finalizing the formal
13 stipulation of settlement.

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