

1 Terry E. Sanchez (State Bar No. 101318)
terry.sanchez@mto.com
 2 Katherine M. Forster (State Bar No. 217609)
katherine.forster@mto.com
 3 **MUNGER TOLLES & OLSON LLP**
 355 S. Grand Ave., 35th Floor
 4 Los Angeles, California 90071
 Phone: (213) 683-9538
 5 Facsimile: (213) 593-2838

6 George A. Hanson (admitted *pro hac*)
hanson@stuevesiegel.com
 7 Richard M. Paul III (admitted *pro hac*)
paul@stuevesiegel.com
 8 **STUEVE SIEGEL HANSON LLP**
 460 Nichols Road, Suite 200
 9 Kansas City, Missouri 64112
 Phone: (816) 714-7100
 10 Facsimile: (816) 714-7101

11 Eric H. Gibbs (State Bar No. 178658)
ehg@girardgibbs.com
 12 Dylan Hughes (State Bar No. 209113)
dsh@girardgibbs.com
 13 **GIRARD GIBBS LLP**
 601 California Street, Suite 1400
 14 San Francisco, California 94108
 Phone: (415) 981-4800
 15 Facsimile: (415) 981-4846

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

18
 19
 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
 28

Case No. 3:08-cv-04154 CRB

STIPULATION AND
~~**[PROPOSED]**~~ **ORDER**
CONTINUING FINAL
APPROVAL HEARING DATE

1 WHEREAS, the date for the final approval hearing in this matter is currently set
2 for October 16, 2009;

3
4 WHEREAS, the parties must provide notice to the class of the settlement, receive
5 responses from the class to the notice, and submit final approval papers to the court before the
6 final approval hearing; and

7
8 WHEREAS, the parties have determined that the October 16, 2009, hearing date
9 would not provide sufficient time to complete these activities, and in particular would not give the
10 class a full 45 days to respond to the notice of class settlement as provided in the settlement
11 agreement;

12
13 NOW, THEREFORE,

14
15 IT IS HEREBY STIPULATED by and among the parties hereto, through their
16 respective counsel of record, as follows:

- 17 1. The date of the final approval hearing shall be continued from October 16, 2009,

18
19
20
21
22
23
24
25
26
27
28

1 to November 13, 2009, to allow the class sufficient time to respond to the notice of class
2 settlement and to give the parties adequate time to submit their final approval papers to the court.

3 DATED: August 25, 2009

By: /s/

Terry E. Sanchez
Katherine M. Forster
MUNGER TOLLES & OLSON LLP
355 S. Grand Ave., 35th Floor
Los Angeles, Ca 90071
Tel: 213-683-9538
Fax: 213-593-2838
Email: terry.sanchez@mto.com
Email: katherine.forster@mto.com

Attorneys for Defendants
First Franklin Financial Corporation and
Merrill Lynch & Co., Inc., as named and as
erroneously sued as Global Markets and
Investment Banking Group

12 DATED: August 25, 2009

By: /s/

George A. Hanson
Richard M. Paul III
STUEVE SIEGEL HANSON LLP
460 Nichols Road, Suite 200
Kansas City, Mo 64112
Tel: 816-714-7100
Fax: 816-714-7101
Email: hanson@stuevesiegel.com
Email: paul@stuevesiegel.com

Eric H. Gibbs
Dylan Hughes
GIRARD GIBBS LLP
601 California Street, Ste 1400
Tel: 415-981-4800
Fax: 415-981-4846
Email: ehg@girardgibbs.com
Email: dsh@girardgibbs.com

Attorneys for Plaintiffs

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

26 Dated: August 28, 2009

United States

