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16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **SAN FRANCISCO DIVISION**

19 CITY OF ALAMEDA, CALIFORNIA, ON
BEHALF OF ITSELF AND ALAMEDA
20 POWER & TELECOM, A DEPARTMENT OF
THE CITY OF ALAMEDA; ALAMEDA
21 PUBLIC FINANCING AUTHORITY; AND
ALAMEDA PUBLIC IMPROVEMENT
CORPORATION,

22 Plaintiffs,

23 vs.

24 NUVEEN MUNICIPAL HIGH INCOME
OPPORTUNITY FUND; and THE NUVEEN
25 MUNICIPAL TRUST on behalf of its series
THE NUVEEN HIGH YIELD MUNICIPAL
26 BOND FUND,

27 Defendants.

28 AND RELATED ACTIONS.

Case No. C 08-04575 SI

STIPULATION AND ORDER RE NUVEEN FUNDS' MOTION TO REALIGN PARTIES

Honorable Susan Illston

1 The parties to this action hereby stipulate as follows:
2 From the date of entry of the Court’s order on this stipulation, and going forward, the title
3 of this action shall be: “*In re Nuveen Funds/City of Alameda Securities Litigation.*” Further, the
4 Court and the parties shall refer to the Nuveen-affiliated parties as “plaintiffs” and the Alameda-
5 affiliated parties and Stone & Youngberg as “defendants.” The Court and the parties shall treat
6 Nuveen’s First Amended Counterclaim as the operative complaint in this action. As plaintiffs, the
7 Nuveen-affiliated parties shall have the burden of proof on all of their claims and, unless the Court
8 orders otherwise, shall at the trial of this matter present their opening statement and their case-in-
9 chief first, and their closing argument first and last.

10 DATED: April 2, 2010 WULFSBERG REESE COLVIG & FIRSTMAN
11 PROFESSIONAL CORPORATION
12 By: /s/ Michael J. Higgins
13 MICHAEL J. HIGGINS
14 Attorneys for CITY OF ALAMEDA

15 DATED: April 2, 2010 DAVIS & CERIANI, P.C.
16 By: /s/ Michael P. Cillo
17 MICHAEL P. CILLO
18 Attorneys for NUVEEN MUNICIPAL HIGH
19 INCOME OPPORTUNITY FUND, *et al.*

20 DATED: April 2, 2010 SHARTSIS FRIESE LLP
21 By: /s/ Robert C. Friese
22 ROBERT C. FRIESE
23 Attorneys for STONE & YOUNGBERG, LLC

24
25 SO ORDERED. 
26
27 DATED: _____
28 Hon. Susan Ilston
United States District Judge