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14 Attorneys for Defendant  
 15 HEWITT ASSOCIATES LLC

16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA

18  
 19 MALTZ ASSOCIATES, L.P. ,  
 20 Plaintiff,  
 21 v.  
 22 HEWITT ASSOCIATES LLC,  
 23 Defendant.

No. C 08-04626-VRW

Action Filed: October 6, 2008

STIPULATION AND ~~PROPOSED~~  
 ORDER FOR LEAVE TO FILE  
AMENDMENT TO COMPLAINT

1 It is stipulated by and between Plaintiff Maltz Associates, L.P. (“MALP”) and  
2 Defendant Hewitt Associates LLC (“Hewitt”), through their counsel of record, as follows:

3 MALP filed its Judicial Council form complaint (“Complaint”) in California state court  
4 on September 5, 2008, Hewitt removed the action to federal court on October 6, 2008, and  
5 Hewitt filed its answer (“Answer”) to the Complaint on October 10, 2008;

6 In the fourth sentence of the third paragraph of Exhibit BC-1 to the Complaint, MALP  
7 alleged that MALP principal Scott Maltz sent an e-mail dated November 7, 2006 to Nancy  
8 Carracher of Hewitt on November 7, 2002; and

9 That date was a typographical error and the correct date Scott Maltz sent the  
10 November 7, 2006 e-mail to Nancy Carracher is November 7, 2006;

11 MALP and Hewitt agree that the Complaint may be deemed amended to substitute the  
12 year “2006” in place of “2002” in the fourth sentence of the third paragraph of Exhibit BC-1  
13 of the Complaint, and that the Answer shall be deemed the answer to the Complaint as so  
14 amended.

15 DATED: February 4, 2009.

Respectfully,

KENNETH G. HAUSMAN  
JOHN P. DUCHEMIN  
HOWARD RICE NEMEROVSKI CANADY  
FALK & RABKIN  
A Professional Corporation

19 By:                                 /s/Kenneth G. Hausman                                  
20 KENNETH G. HAUSMAN

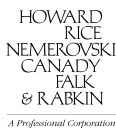
21 Attorneys for Plaintiff MALTZ ASSOCIATES,  
22 L.P.

23 DATED: February 4, 2009.

GREGORY J. CASAS  
CINDY HAMILTON  
GREENBERG TRAURIG, LLP

25 By:                                 /s/ Gregory J. Casas                                  
26 GREGORY J. CASAS

27 Attorneys for Defendant HEWITT ASSOCIATES  
28 LLC



ATTESTATION

I, Kenneth G. Hausman, am the ECF User whose identification and password are being used to file this Stipulation And [Proposed] Order For Leave To File Amendment To Complaint. In compliance with General Order 45.X.B, I hereby attest that Gregory J. Casas has concurred in this filing.

DATED: February 4, 2009.

HOWARD RICE NEMEROVSKI CANADY FALK & RABKIN, A Professional Corporation

By: /s/Kenneth G. Hausman  
KENNETH G. HAUSMAN

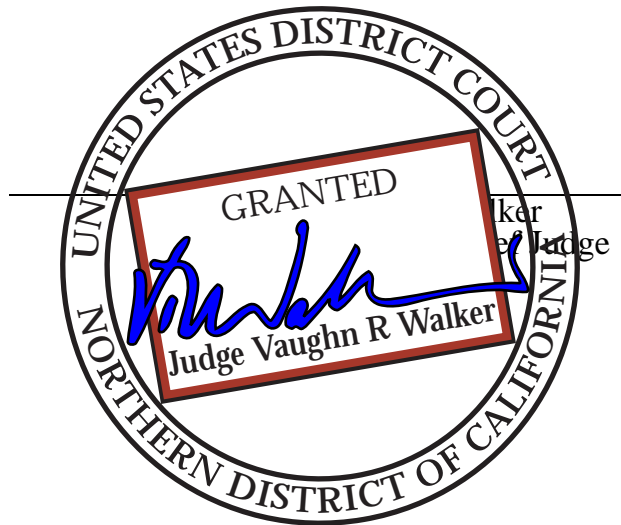
Attorneys for Plaintiff MALTZ ASSOCIATES, L.P.

ORDER

Based on the Stipulation of the parties through counsel and good cause appearing therefore,

IT IS HEREBY ORDERED that leave is granted to Plaintiff to file the Amendment to the Complaint attached hereto as Exhibit A, and Defendant's Answer filed on October 10, 2008 shall be the answer to the Complaint as so amended.

DATED: 2/5/2009



HOWARD RICE NEMEROVSKI CANADY FALK & RABKIN  
*A Professional Corporation*