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

LOUISIANA MUNICIPAL POLICE  
EMPLOYEES RETIREMENT SYSTEM,  
Derivatively and on Behalf of Bank of  
America Corporation,

Plaintiff,

v.

KENNETH D. LEWIS, *et al.*

Defendants.

Case No. 08 CV 04651 MMC

~~[PROPOSED]~~ ORDER ON STIPULATION  
REGARDING BRIEFING SCHEDULE ON  
DEFENDANTS' MOTIONS TO TRANSFER  
AND DISMISS AND REQUEST TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE

Upon consideration of the parties' stipulation regarding briefing schedule on defendants' motions to transfer and dismiss and request to continue case management conference, and good cause appearing, **IT IS HEREBY ORDERED THAT:**

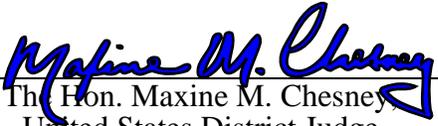
1. Defendants shall file their motion to transfer the action to the Western District of North Carolina pursuant to 28 U.S.C. § 1404 on or before January 23, 2009;
2. Plaintiff shall file its opposition on or before February 23, 2009;
3. Defendants shall file their reply on or before March 16, 2009; ~~and~~ the hearing on the motion shall be on April 10, 2009; and
4. Defendants shall have until 30 days after a ruling on the transfer motion to move to dismiss or otherwise respond to the complaint. Plaintiff shall have 35 days to file its opposition to any motion to dismiss, ~~and~~ defendants shall have 21 days to file any replies., and the hearings on any motions to dismiss shall be no earlier than 21 days after the deadline for the filing of such replies.

[PROPOSED] ORDER SETTING BRIEFING  
SCHEDULE 08 CV 04651 MMC

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5. The Case Management Conference currently set for February 27, 2009 at  
to June 12, 2009.  
10:30 a.m. is hereby continued ~~until a later date to be set by the Court.~~

Dated: January 13, 2009

  
\_\_\_\_\_  
The Hon. Maxine M. Chesney  
United States District Judge