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8 UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN FRANCISCO DIVISION

10  
 11 KENDRICK PATTERSON, ADAM  
 BERGMAN, MICHAEL ATTIANESE,  
 12 ANDREA LEVY, DARYL YEAKLE, and  
 RAYMOND R. PLANTE, each  
 13 individually, and on behalf of all others  
 similarly situated and the general public,

14 Plaintiffs,

15 v.

16 STEPHEN V. O'NEAL, individually and  
 on behalf of those similarly situated;  
 17 THOMAS HILL, individually and on  
 behalf of those similarly situated; ELLEN  
 18 L. BASTIER, individually and on behalf of  
 those similarly situated; MARK  
 19 WEITZEL, individually and on behalf of  
 those similarly situated; JULIAN  
 20 MILLSTEIN, individually and on behalf of  
 those similarly situated; JEFFREY  
 21 STEINER, individually and on behalf of  
 those similarly situated; and DAVID P.  
 22 GRAYBEAL, individually and on behalf  
 of those similarly situated; ORRICK,  
 23 HERRINGTON & SUTCLIFFE LLP, a  
 limited liability partnership, DLA PIPER  
 24 LLP, a limited liability partnership,  
 NIXON PEABODY LLP, a limited  
 25 liability partnership, HOWREY LLP, a  
 limited liability partnership, and  
 26 MORGAN LEWIS & BOCKIUS LLP, a  
 limited liability partnership,  
 27 Defendants.  
 28

Case No. 09-cv-03031 SC

(Related Case No. 08-cv-05322 SC)

**STIPULATION TO ALLOW PLAINTIFFS  
 TO FILE A SINGLE, COMBINED  
 OPPOSITION BRIEF TO FIVE MOTIONS  
 TO DISMISS**

**HEARING ON MOTIONS TO DISMISS:**

Date: November 20, 2009  
 Time: 10:00 a.m.  
 Judge: Hon. Samuel Conti  
 Place: United States Courthouse  
 Dept. 1, 17th Floor  
 450 Golden Gate Avenue  
 San Francisco, California

1 WHEREAS, Defendants DLA Piper LLP (US), Nixon Peabody LLP, Howrey LLP,  
2 Morgan, Lewis & Bockius LLP, and Orrick, Herrington & Sutcliffe LLP (collectively, the “Five  
3 Law Firm Defendants”) have filed motions to dismiss (the “Motions to Dismiss”) the First  
4 Amended Complaint filed by Plaintiffs Kendrick Patterson, Adam Bergman, Michael Attianese,  
5 Andrea Levy, Daryl Yeakle, and Raymond R. Plante (collectively, “Plaintiffs”) pursuant to Rule  
6 12(b)(6) of the Federal Rules of Civil Procedure;

7 WHEREAS, the five Motions to Dismiss are set for hearing on November 20, 2009 at  
8 10:00 a.m. (per Docket No. 41),

9 WHEREAS, the Court has ordered that any Opposition briefs must be filed no later than  
10 October 23, 2009; and

11 WHEREAS, Plaintiffs believe it would serve the interest of judicial economy for the  
12 Plaintiffs to file a single combined opposition brief to all five Motions to Dismiss, rather than  
13 separate opposition briefs;

14 THEREFORE, the Plaintiffs and the Five Law Firm Defendants stipulate as follows:

15 1. Plaintiffs may file a single omnibus memorandum of points and authorities in  
16 opposition to all five motions. The memorandum may be up to 35 pages of text.

17 IT IS SO STIPULATED.

18  
19 Dated: October 19, 2009

FOLGER LEVIN & KAHN LLP

20  
21 By: /s/ Jiyun Cameron Lee  
Attorneys for Defendant  
22 Morgan, Lewis & Bockius LLP

23 Dated: October 19, 2009

KEKER & VAN NEST LLP

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25 By: /s/ Wendy J. Thurm  
Attorneys for Defendant  
26 DLA PIPER LLP (US)

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Dated: October 19, 2009

HOWREY LLP

By: /s/ Richard J. Burdge, Jr.  
Attorneys for Defendant  
HOWREY LLP

Dated: October 19, 2009

NIXON PEABODY LLP

By: /s/ Andrew Neilson  
Attorneys for Defendant  
NIXON PEABODY LLP

Dated: October 19, 2009

HOWARD RICE

By: /s/ Jonathan William Hughes  
  
Attorneys for Defendant  
ORRICK, HERRINGTON & SUTCLIFFE, LLP

Dated: October 19, 2009

BLUM COLLINS LLP

By: /s/ Craig Michael Collins  
Attorneys for Plaintiffs

Pursuant to General Order 45(X), I hereby attest that the signatories above have concurred in the filing of this document.

/s/ Craig M. Collins

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**ORDER**

Pursuant to stipulation, the Court hereby orders that in response to five pending motions to dismiss filed by Defendants DLA Piper LLP (US), Nixon Peabody LLP, Howrey LLP, Morgan, Lewis & Bockius LLP, and Orrick, Herrington & Sutcliffe LLP, Plaintiffs may file a single omnibus memorandum of points and authorities in opposition to all of up to 35 pages in length.

IT IS SO ORDERED.

Dated: October 22, 2009

