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10 *Attorneys for Defendant*  
 Deutsche Bank Securities Inc.

11  
 12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN FRANCISCO DIVISION

16 LOUISIANA PACIFIC CORPORATION,  
 17 Plaintiff,  
 18 vs.  
 19 MONEY MARKET 1 INSTITUTIONAL  
 INVESTMENT DEALER; MERRILL  
 20 LYNCH & CO., INC.; MERRILL  
 LYNCH, PIERCE, FENNER & SMITH  
 21 INCORPORATED; AND DEUTSCHE  
 BANK SECURITIES INC.,  
 22 Defendants.  
 23

Case No. CV09-03529-JSW

*Honorable Jeffrey S. White – Courtroom 11*

**STIPULATION AND ~~PROPOSED~~ ORDER  
 EXTENDING DEFENDANT DEUTSCHE  
 BANK SECURITIES INC.'S TIME TO  
 RESPOND TO THE SECOND AMENDED  
 COMPLAINT, GRANTING LEAVE TO  
 EXCEED PAGE LIMITS ESTABLISHED  
 BY THE COURT'S CIVIL STANDING  
 ORDERS AND SETTING BRIEFING  
 SCHEDULE FOR MOTION TO DISMISS**

Second Am. Complaint filed: May 20, 2011

1 Plaintiff Louisiana Pacific Corporation (“Plaintiff”) and Defendant Deutsche Bank  
2 Securities Inc. (“DBSI” or “Defendant”), by and through their respective counsel of record,  
3 hereby stipulate as follows:

4 WHEREAS, Plaintiff filed a First Amended Complaint (“FAC”) on March 8, 2010;

5 WHEREAS, on April 21, 2010, DBSI filed a Motion to Dismiss and a Motion to Strike  
6 portions of the FAC;

7 WHEREAS, on March 28, 2011, this Court issued an Order granting DBSI’s Motion to  
8 Dismiss with leave to amend and stating that “[i]f Plaintiff wishes to file a second amended  
9 complaint as against DBSI, it shall do so by no later than April 29, 2011”;

10 WHEREAS, the parties previously stipulated and the Court ordered that Plaintiff would  
11 have until May 20, 2011 to file a Second Amended Complaint as against DBSI in this Action;

12 WHEREAS, Plaintiff filed a Second Amended Complaint (“SAC”) on May 20, 2011;

13 WHEREAS, the SAC asserts several causes of action, including causes of action for  
14 federal securities fraud, California securities fraud, and common law fraud claims against DBSI  
15 in connection with auction-rate securities;

16 WHEREAS, the SAC alleges over the course of 265 paragraphs and 92 pages that DBSI  
17 engaged in a comprehensive scheme to defraud Plaintiff in violation of Section 10(b) of the  
18 Securities Exchange Act of 1934 and Rule 10b-5, that DBSI violated Sections 25500 and 25501  
19 of the California Corporate Securities Law of 1968, and that DBSI committed common law fraud;

20 WHEREAS, the SAC alleges wrongful conduct by DBSI in connection with at least eight  
21 different series of auction-rate securities;

22 WHEREAS, pursuant to Federal Rule of Civil Procedure 15(a)(3), DBSI’s response to the  
23 SAC is due to be filed on or before June 3, 2011;

24 WHEREAS, DBSI has informed Plaintiff that it expects to move to dismiss the SAC and  
25 both parties have agreed that DBSI shall have until June 27, 2011 to make such a motion or to  
26 answer or otherwise respond to the SAC;

27 WHEREAS, Plaintiff and DBSI agree that, should DBSI move to dismiss the SAC, the  
28 SAC’s scope and complexity warrant an increase in the page limits imposed by this Court’s Civil

1 Standing Orders for DBSI’s opening brief and Plaintiff’s opposition to DBSI’s motion to dismiss  
2 from 15 pages to 25 pages, but that the page limit for DBSI’s reply brief shall be limited to 10  
3 pages (exclusive of title pages, indices of cases, table of contents, exhibits, and summaries of  
4 argument);

5 WHEREAS, should DBSI file a motion to dismiss the SAC on June 27, 2011, Plaintiff  
6 and DBSI agree that the deadline for Plaintiff’s filing of its opposition to DBSI’s motion to  
7 dismiss should be extended until July 27, 2011 and that DBSI’s reply brief shall be filed by  
8 August 10, 2011.

9 IT IS THEREFORE STIPULATED AND AGREED, by and between Plaintiff and  
10 Defendant, acting through their respective counsel, subject to this Court’s approval, as follows:

11 1. DBSI shall answer or otherwise respond to the SAC on or before June 27, 2011;

12 2. Should DBSI file a motion to dismiss on June 27, 2011, Plaintiff shall file its  
13 opposition papers on or before July 27, 2011, and DBSI shall file its reply papers on or before  
14 August 10, 2011;

15 3. Should DBSI file a motion to dismiss, DBSI’s memorandum of law in support of  
16 its motion to dismiss and Plaintiff’s memorandum of law in opposition to DBSI’s motion to  
17 dismiss shall not exceed 25 pages in length (exclusive of title pages, indices of cases, table of  
18 contents, exhibits, and summaries of argument); and

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4. DBSI's reply brief in support of its motion to dismiss shall not exceed 10 pages in length (exclusive of title pages, indices of cases, table of contents, exhibits, and summaries of argument).

Dated: June 3, 2011

KELLOGG, HUBER, HANSEN, TODD,  
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David L. Schwarz  
Kevin J. Miller  
Andrew C. Shen

By /s/ Andrew C. Shen  
Andrew C. Shen  
  
*Attorneys for Plaintiff*  
Louisiana Pacific Corporation

Dated: June 3, 2011

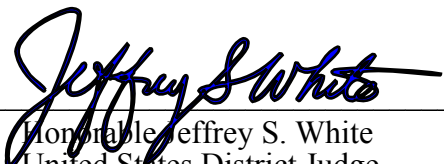
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By /s/ Elizabeth A. Frohlich  
Elizabeth A. Frohlich  
  
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Deutsche Bank Securities Inc.

The Court HEREBY SETS a hearing on the motion for September 2, 2011 at 9:00 a.m. If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 3, 2011

  
Honorable Jeffrey S. White  
United States District Judge