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6 *Attorneys for Defendant*  
 Deutsche Bank Securities Inc.

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

12 LOUISIANA PACIFIC CORPORATION,  
 13 Plaintiff,  
 14 vs.  
 15 MONEY MARKET 1 INSTITUTIONAL  
 INVESTMENT DEALER; MERRILL  
 16 LYNCH & CO., INC.; MERRILL  
 LYNCH, PIERCE, FENNER & SMITH  
 17 INCORPORATED; AND DEUTSCHE  
 BANK SECURITIES INC.,  
 18 Defendants.  
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Case No. CV09-03529-JSW

Reassigned to the Honorable Jeffrey S. White –  
 Courtroom 11

Complaint filed: July 31, 2009

**STIPULATION AND ~~PROPOSED~~ ORDER  
 GRANTING LEAVE TO EXCEED PAGE  
 LIMITS ESTABLISHED BY THE COURT'S  
 CIVIL STANDING ORDERS AND  
 SETTING BRIEFING SCHEDULE AND  
 HEARING DATE FOR MOTIONS TO  
 DISMISS**

1 Plaintiff Louisiana Pacific Corporation (“Plaintiff”) and Defendants Money Market 1  
2 Institutional Investment Dealer (“MM1”) and Deutsche Bank Securities Inc. (“DBSI”)  
3 (collectively, “Defendants”), by and through their respective counsel of record, hereby stipulate  
4 as follows:

5 WHEREAS, Plaintiff filed a First Amended Complaint (“FAC”), asserting 13 causes of  
6 action, on March 8, 2010;

7 WHEREAS, the Court issued its order denying DBSI’s motion to transfer venue pursuant  
8 to 28 U.S.C. § 1404(a) on March 22, 2010;

9 WHEREAS, the parties previously stipulated and the Court ordered that if DBSI’s motion  
10 to transfer was denied, the Defendants would have 30 days after such order was entered to answer  
11 or otherwise respond to Plaintiff’s operative pleading, if any defendant filed a motion to dismiss,  
12 Plaintiff would serve its opposition within 45 days after service of any such motion to dismiss,  
13 and Defendants would have 30 days to serve any reply;

14 WHEREAS, the FAC asserts federal securities fraud, California securities fraud, and  
15 common law fraud claims against Defendants and breach of fiduciary duty and negligent  
16 misrepresentation claims against MM1 in connection with auction-rate securities (“ARS”) –  
17 financial instruments that pay interest at rates set at periodic auctions;

18 WHEREAS, the FAC alleges over the course of 237 paragraphs and 79 pages that  
19 Defendants engaged in a comprehensive scheme to defraud Plaintiff in violation of Section 10(b)  
20 of the Securities Exchange Act of 1934 and Rule 10b-5, that Defendants violated Sections 25500,  
21 25501 and 25504.1 of the California Corporate Securities Law of 1968, that Defendants  
22 committed common law fraud and that MM1 made negligent misrepresentations and breached its  
23 fiduciary duties to Plaintiff;

24 WHEREAS, the FAC contains allegations concerning 14 different securities purchased by  
25 Plaintiff and alleges that defendant DBSI’s wrongful conduct involved eight different securities  
26 underwritten by it and that defendant MM1’s wrongful conduct involved those same eight  
27 different securities plus an additional six different securities underwritten by the Merrill Lynch  
28 defendants;

1 WHEREAS, the parties agree that the FAC's scope and complexity warrant a modest  
2 increase in the page limits imposed by this Court's Civil Standing Orders for Defendants'  
3 opening briefs and Plaintiff's opposition on Defendants' motion to dismiss, but that the page limit  
4 for Defendants' reply briefs shall remain 15 pages (exclusive of title pages, indices of cases, table  
5 of contents, exhibits, and summaries of argument); and

6 WHEREAS, Plaintiff and MM1 agree to extend the deadline for MM1's filing of its  
7 motion to dismiss by two days from April 21, 2010 to April 23, 2010 to accommodate the  
8 calendar of counsel for MM1, and note that no prior extensions or changes have been made to  
9 MM1's deadline to respond to the FAC;

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

12 1. DBSI shall file its opening papers in support of its motions to dismiss on or before  
13 April 21, 2010, Plaintiff shall file its opposition papers on or before June 7, 2010, and DBSI shall  
14 file its reply papers on or before July 7, 2010;

15 2. MM1 shall file its opening papers in support of its motions to dismiss on or before  
16 April 23, 2010, Plaintiff shall file its opposition papers on or before June 7, 2010, and MM1 shall  
17 file its reply papers on or before July 7, 2010

18 3. The hearing date for Defendants' motions to dismiss shall be August 27, 2010 at  
19 9:00 a.m.

20 4. Defendant DBSI's memorandum of law in support of its motion to dismiss shall  
21 not exceed <sup>30</sup>~~35~~ pages in length (exclusive of title pages, indices of cases, table of contents,  
22 exhibits, and summaries of argument);

23 5. Defendant MM1's memorandum of law in support of its motion to dismiss shall  
24 not exceed <sup>35</sup>~~40~~ pages in length (exclusive of title pages, indices of cases, table of contents,  
25 exhibits, and summaries of argument);

26 6. Plaintiff's memorandum of law in opposition to DBSI's motion to dismiss shall  
27 not exceed <sup>30</sup>~~35~~ pages (exclusive of title pages, indices of cases, table of contents, exhibits, and  
28 summaries of argument); and

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7. Plaintiff's memorandum of law in opposition to MMI's motion to dismiss shall not exceed <sup>35</sup>~~40~~ pages (exclusive of title pages, indices of cases, table of contents, exhibits, and summaries of argument).

Dated: April 7, 2010

KELLOGG, HUBER, HANSEN, TODD,  
EVANS & FIGEL, P.L.L.C.  
Mark C. Hansen  
David L. Schwarz  
Kevin J. Miller  
Andrew C. Shen

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

Dated: April 7, 2010

ARENT FOX LLP  
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Steven E. Bledsoe  
Antoinette Waller

By /s/ Antoinette Waller  
Antoinette Waller  
  
*Attorneys for Defendant*  
Money Market 1 Institutional Investment  
Dealer

Dated: April 7, 2010

MORGAN, LEWIS & BOCKIUS LLP  
Jami Wintz McKeon  
Elizabeth A. Frohlich

By /s/ Elizabeth A. Frohlich  
Elizabeth A. Frohlich  
  
*Attorneys for Defendant*  
Deutsche Bank Securities Inc.

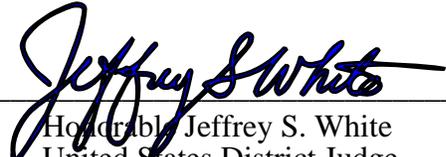
1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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3 Dated: April 8, 2010

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Honorable Jeffrey S. White  
United States District Judge

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