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18 Attorneys for Defendant The McGraw-Hill Companies, Inc.

19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA

21 CALIFORNIA PUBLIC EMPLOYEES'
22 RETIREMENT SYSTEM,

23 Plaintiffs,

24 v.

25 MOODY'S CORP., MOODY'S INVESTORS
 26 SERVICE, INC., THE MCGRAW-HILL
 27 COMPANIES, INC., FITCH, INC., FITCH
 28 GROUP, INC., FITCH RATINGS, LTD. AND
 DOES 1 THROUGH 100,

Defendants.

No. 09-03628-SI and related Case No. 09-03629-SI

**JOINT STIPULATION
 REGARDING SCHEDULING FOR
 MOTION TO REMAND AND CASE
 MANAGEMENT CONFERENCE;
 [PROPOSED] ORDER**

Judge: Hon. Susan Illston

1 Pursuant to Local Rule 6-1(b), the parties jointly submit this Stipulation.

2 WHEREAS, on September 4, 2009, Plaintiff California Public Employees' Retirement
3 System ("CalPERS") filed its Motion to Remand for Lack of Subject Matter Jurisdiction
4 ("Motion to Remand");

5 WHEREAS, the Motion to Remand is scheduled to be heard on October 23, 2009 at 9:00
6 a.m.;

7 WHEREAS, Defendants' Moody's Corp., Moody's Investors Service, Inc. (together,
8 "Moody's"), The McGraw-Hill Companies, Inc. ("McGraw-Hill") and Fitch, Inc., Fitch Group,
9 Inc., and Fitch Ratings, Ltd. (together, "Fitch", and collectively with Moody's and McGraw-Hill,
10 the "Defendants") opposition to the Motion to Remand is due on October 2, 2009;

11 WHEREAS, CalPERS' reply in support of the Motion to Remand is due on October 9,
12 2009; and

13 WHEREAS, the Case Management Conference is scheduled for November 13, 2009 at
14 2:30 p.m.

15 It is hereby STIPULATED AND AGREED by and between the undersigned counsel for
16 the parties as follows:

17 (1) The Motion to Remand hearing will be continued from October 23, 2009 to November
18 13, 2009 at 9:00 a.m.;

19 (2) Defendants' oppositions to the Motion to Remand will be due on October 19, 2009;

20 (3) Defendants' oppositions to the Motion to Remand will be served on CalPERS by 12
21 p.m. Pacific Time on October 19, 2009;

22 (4) CalPERS' reply in support of the Motion to Remand will be due on October 30, 2009;

23 (5) Defendants will not oppose CalPERS' request for additional briefing for its reply in
24 support of the Motion to Remand that is proportionate to Defendants' briefing in opposition; and

25 (6) The Case Management Conference will remain on November 13, 2009.

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/s/

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: OCTOBER __, 2009



HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT COURT JUDGE