

1 DOUGLAS J. CLARK, State Bar No. 171499
 dclark@wsgr.com
 2 CAZ HASHEMI, State Bar No. 210239
 chashemi@wsgr.com
 3 KATHERINE L. HENDERSON, State Bar No. 242676
 khenderson@wsgr.com
 4 MOLLY A. ARICO, State Bar No. 260472
 marico@wsgr.com
 5 WILSON SONSINI GOODRICH & ROSATI
 Professional Corporation
 6 650 Page Mill Road
 Palo Alto, CA 94304-1050
 7 Telephone: (650) 493-9300
 Facsimile: (650) 565-5100
 8

9 Attorneys for Defendants
 ALIGN TECHNOLOGY, INC. AND
 10 THOMAS M. PRESCOTT

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

14 CHARLES WOZNIAK, Individually and on)	CASE NO.: 3:09-cv-03671-MMC
Behalf of All Other Similarly Situated,)	
15)	STIPULATION AND PROPOSED
Plaintiff,)	ORDER EXTENDING TIME TO
16)	RESPOND AND CONTINUING
v.)	CASE MANAGEMENT
17)	CONFERENCE
ALIGN TECHNOLOGY, INC. AND THOMAS)	
18 M. PRESCOTT,)	
19)	
Defendants.)	
20)	

21
 22
 23
 24
 25
 26
 27
 28

1 WHEREAS, Plaintiff Charles Wozniak filed a Complaint against Defendants Align
2 Technology, Inc. and Thomas M. Prescott on August 11, 2009 (the “Action”);

3 WHEREAS, two motions to appoint lead plaintiff and lead counsel were filed in this
4 Action on October 13, 2009;

5 WHEREAS, Defendants Align Technology, Inc. and Thomas M. Prescott were served on
6 October 19, 2009;

7 WHEREAS, the hearing on the two motions to appoint lead plaintiff and lead counsel is
8 currently scheduled before this Court on November 20, 2009 at 9:00 a.m.;

9 WHEREAS, the undersigned parties anticipate that, following the appointment of Lead
10 Plaintiff, an amended complaint will be filed;

11 WHEREAS, the case management conference is currently scheduled before this Court on
12 November 20, 2009 at 10:30 a.m.;

13 NOW, THEREFORE, in the interest of judicial economy and good cause showing, the
14 parties, by and through their undersigned counsel of record, hereby agree and stipulate, and the
15 Court hereby orders, as follows:

16 1. Defendants need not respond to the complaint filed August 11, 2009.

17 2. After the appointment of a Lead Plaintiff and Lead Counsel, defendants and Lead
18 Plaintiff shall meet and confer to determine a schedule for the filing of an amended complaint,
19 and defendants’ response thereto. The parties will file a stipulated schedule for approval by the
20 Court.

21 2. The case management conference currently scheduled for November 20, 2009 at
22 10:30 a.m. shall be continued until after the Court’s ruling on defendants’ motions to dismiss.

23 The Parties respectfully request that the Court enter an Order approving this Stipulation.

24 ///

25 ///

26 ///

27 ///

28 ///

