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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	)	<b>STIPULATION AND <del>PROPOSED</del></b>
Plaintiff,	)	<b>ORDER SETTING TIME FOR</b>
16	)	<b>FILING AMENDED COMPLAINT</b>
v.	)	<b>AND DEFENDANTS' RESPONSE</b>
17	)	<b>THERE TO AND CONTINUING</b>
ALIGN TECHNOLOGY, INC. AND THOMAS	)	<b>CASE MANAGEMENT</b>
18 M. PRESCOTT,	)	<b>CONFERENCE</b>
19	)	
Defendants.	)	
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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, on November 13, 2009, Plumbers and Pipefitters National Pension Fund  
4 was appointed lead plaintiff;

5 WHEREAS, on November 13, 2009, the Court directed the parties to meet and confer  
6 and submit a stipulated schedule to the Court for approval before December 4, 2009;

7 WHEREAS, the case management conference is currently scheduled before this Court on  
8 January 15, 2010 at 10:30 a.m.;

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

- 12 1. Lead plaintiff shall file an amended complaint on or before January 15, 2010.
- 13 2. Defendants’ response to the amended complaint shall be filed on or before March  
14 12, 2010.
- 15 3. If defendants’ response is a motion to dismiss, lead plaintiff’s opposition shall be  
16 filed on or before May 7, 2010, and defendants’ reply thereto shall be filed on or before June 7,  
17 2010.
- 18 4. The case management conference currently scheduled for January 15, 2010 at  
19 10:30 a.m. shall be continued until September 10, 2010 at 10:30 a.m. or a date that is convenient  
20 for the Court.

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22 The Parties respectfully request that the Court enter an order approving this stipulation.

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