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7 Lead Counsel for Plaintiff

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

12 CHARLES WOZNIAK, Individually and on)	No. 3:09-cv-03671-MMC
Behalf of All Others Similarly Situated,)	
13)	<u>CLASS ACTION</u>
Plaintiff,)	
14)	STIPULATION AND PROPOSED ORDER
vs.)	CONTINUING CASE MANAGEMENT
15)	CONFERENCE
ALIGN TECHNOLOGY, INC., et al.,)	
16)	
Defendants.)	
17)	

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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;

3 WHEREAS, on November 13, 2009, Plumbers and Pipefitters National Pension Fund was
4 appointed as lead plaintiff;

5 WHEREAS, on December 2, 2009, the Court entered an Order setting a case management
6 conference for September 10, 2010, and on January 8, 2010, the Court entered an Order setting a
7 briefing schedule for defendants' motion to dismiss;

8 WHEREAS, lead plaintiff filed the Amended Complaint for Violations of Federal Securities
9 Laws ("Amended Complaint") against defendants Align Technology, Inc. and Thomas M. Prescott
10 on January 29, 2010;

11 WHEREAS, defendants moved to dismiss the Amended Complaint on March 26, 2010;

12 WHEREAS, on May 21, 2010, lead plaintiff opposed defendants' motion to dismiss;

13 WHEREAS, the Court took defendants' motion under submission on July 7, 2010;

14 WHEREAS, pursuant to the Private Securities Litigation Reform Act of 1995 which governs
15 this action, discovery in this action is stayed during the pendency of a motion to dismiss (15 U.S.C.
16 78u-4(b)(3)(B));

17 WHEREAS, on August 24, 2010, the Court entered an Order continuing the September 10,
18 2010 case management conference to December 10, 2010 at 10:30 a.m.;

19 WHEREAS, on November 19, 2010, the Court entered an Order continuing the December
20 10, 2010 case management conference to April 15, 2011 at 10:30 a.m.;

21 NOW, THEREFORE, in the interest of judicial economy and good cause showing, the
22 parties, by and through their undersigned counsel of record, hereby agree and stipulate that the case
23 management conference currently scheduled for April 15, 2010 at 10:30 a.m. be vacated until such
24 time as the Court has the opportunity to rule on defendants' motion to dismiss.

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1 The Parties respectfully request that the Court enter an Order approving this Stipulation.
2 IT IS SO STIPULATED.

3 DATED: March 23, 2011

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7 s/ Willow E. Radcliffe
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20 Additional Counsel for Plaintiff

21 DATED: March 23, 2011

WILSON SONSINI GOODRICH & ROSATI
KATHERINE L. HENDERSON

22 s/ Katherine L. Henderson
KATHERINE L. HENDERSON

23 650 Page Mill Road
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27 Attorneys for Defendants Align Technology, Inc.
28 and Thomas M. Prescott

I, Willow E. Radcliffe, am the ECF User whose ID and password are being used to file this
Stipulation and [Proposed] Order Continuing Case Management Conference. In compliance with
General Order No. 45, X.B., I hereby attest that Katherine L. Henderson has concurred in this filing.

s/ Willow E. Radcliffe
WILLOW E. RADCLIFFE

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 24, 2011



THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE

1 CERTIFICATE OF SERVICE

2 I hereby certify that on March 23, 2011, I authorized the electronic filing of the foregoing
3 with the Clerk of the Court using the CM/ECF system which will send notification of such filing to
4 the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I
5 caused to be mailed the foregoing document or paper via the United States Postal Service to the non-
6 CM/ECF participants indicated on the attached Manual Notice List.

7 I certify under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct. Executed on March 23, 2011.

9
10 s/ Willow E. Radcliffe
WILLOW E. RADCLIFFE

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Mailing Information for a Case 3:09-cv-03671-MMC

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)