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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 )  
 Behalf of All Others Similarly Situated, )

13 Plaintiff, )

14 vs. )

15 ALIGN TECHNOLOGY, INC., et al., )  
 16 Defendants. )

No. 3:09-cv-03671-MMC

CLASS ACTION

) STIPULATION AND [~~PROPOSED~~] ORDER  
 ) EXTENDING LEAD PLAINTIFF'S TIME  
 ) TO RESPOND TO DEFENDANTS'  
 ) MOTION TO DISMISS SECOND  
 ) AMENDED COMPLAINT;  
 ) SCHEDULING CASE MANAGEMENT  
 ) CONFERENCE

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

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

5           WHEREAS, on January 29, 2010, lead plaintiff filed an Amended Complaint for Violations  
6 of Federal Securities Laws (the “Amended Complaint”) against Defendants;

7           WHEREAS, on March 26, 2010, Defendants moved to dismiss the Amended Complaint;

8           WHEREAS, on May 21, 2010, lead plaintiff opposed Defendants’ motion to dismiss;

9           WHEREAS, on June 21, 2010, Defendants filed a reply brief in support of their motion to  
10 dismiss;

11           WHEREAS, on July 7, 2010, the Court took Defendants’ motion to dismiss under  
12 submission;

13           WHEREAS, on June 8, 2011, the Court entered an Order granting Defendants’ motion to  
14 dismiss with leave to amend and setting the filing deadline for the Second Amended Complaint, if  
15 any, to July 22, 2011;

16           WHEREAS, on July 22, 2011, lead plaintiff filed a Second Amended Complaint for  
17 Violations of Federal Securities Laws (the “SAC”) against Defendants;

18           WHEREAS, on July 27, 2011, the Court entered an Order on briefing schedule setting  
19 Defendants’ time to respond to the SAC to September 7, 2011; lead plaintiff’s opposition to any  
20 motion to dismiss on or before October 21, 2011; and Defendants’ reply thereto to November 21,  
21 2011;

22           WHEREAS, on September 7, 2011, Defendants filed a motion to dismiss the SAC and  
23 noticed a hearing on said motion for December 9, 2011; and

24           WHEREAS, due to scheduling conflicts, lead plaintiff requests an extension from October  
25 21, 2011 to November 9, 2011 to file its opposition brief, and Defendants do not oppose said  
26 request. The parties also agree, subject to the Court’s approval, to reschedule the hearing on  
27 Defendants’ motion to dismiss the SAC from December 9, 2011 to January 13, 2012, or a date  
28 thereafter convenient to the Court.

1 NOW, THEREFORE, with good cause showing, the parties, by and through their  
2 undersigned counsel of record, hereby agree and stipulate, and the Court hereby orders, as follows:

3 1. Lead plaintiff's opposition to Defendants' motion to dismiss the SAC shall be filed  
4 on or before November 9, 2011;

5 2. Defendants' reply brief shall be filed on or before December 21, 2011; and

6 3. The hearing on Defendants' motion to dismiss the SAC shall be moved from  
7 December 9, 2011 to January 13, 2012 at 9:00 a.m.

8 The parties respectfully request that the Court enter an Order approving this Stipulation.

9 IT IS SO STIPULATED.

10 DATED: October 11, 2011

ROBBINS GELLER RUDMAN  
& DOWD LLP  
WILLOW E. RADCLIFFE  
SARAH R. HOLLOWAY

13 \_\_\_\_\_  
14 /s/ Willow E. Radcliffe  
WILLOW E. RADCLIFFE

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23 Additional Counsel for Plaintiff

24 DATED: October 11, 2011

WILSON SONSINI  
GOODRICH & ROSATI, P.C.  
KATHERINE L. HENDERSON

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27 /s/ Katherine L. Henderson  
KATHERINE L. HENDERSON

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Attorneys for Defendants Align Technology, Inc.  
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 Extending Lead Plaintiff's Time to Respond to Defendants' Motion to Dismiss Second Amended Complaint. In compliance with General Order No. 45, X.B., I hereby attest that Katherine L. Henderson has concurred in this filing.

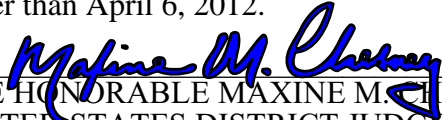
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/s/ Willow E. Radcliffe  
WILLOW E. RADCLIFFE

\* \* \*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.  
FURTHER, a Case Management Conference is hereby SCHEDULED for April 13, 2012; a Joint Case Management Statement shall be filed no later than April 6, 2012.

DATED: October 14, 2011

  
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THE HONORABLE MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE