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7	Attorneys for All Defendants Except Credit Suisse Securities (USA) LLC an	nd		
	Morgan Stanley & Company Incorporated			
8				
9	UNITED STATES DISTRICT COURT			
10	NORTHERN DISTRICT OF CALIFORNIA			
11	SAN FRANCISCO DIVISION			
12				
12	PLUMBERS AND PIPEFITTERS LOCAL	No. C	-09-4963-SI	
13	UNION NO. 630 PENSION-ANNUITY TRUST FUND, Derivatively on Behalf of	STIPHILATION	AND [PROPOSED]	
14	CENTURY ALUMINUM COMPANY,	ORDER POSTP		
1.5	,	MANAGEMEN	T CONFERENCE	
15	Plaintiff,	Current Date:	Fohmory 25, 2011	
16	vs.	Proposed Date:	February 25, 2011 TBD	
		•		
17	JOHN C. FONTAINE, et al.,	Attached hereto:	Proposed Order	
18	Defendants,			
19	- and -			
20	CENTURY ALUMINUM COMPANY, a Delaware corporation,			
21	Nominal Defendant.			
22	- Tommar Berendant.			
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1	RECITALS	
2	1. On December 1, 2009, the parties entered into, and on December 9, 2009,	
3	the Court (Judge Ware) signed, a stipulation and order coordinating the settling of the	
4	pleadings in this derivative action (the "Derivative Action") with the resolution of motions	
5	to dismiss expected to be filed in the related consolidated class actions, No. C-09-1001-SI	
6	(the "Class Actions"). See Stipulation and Order, Doc. 16 in this action, filed December 9,	
7	2009. As stated in their stipulation, the parties did so (inter alia) for two reasons:	
8	"7. Although it asserts different legal theories, the Derivative Action	
9	arises out of the same transactions and occurrences as the Consolidated Class	
10	Actions, and names the same individual defendants and underwriter defendants.	
11	"9. The parties agree that it makes sense to postpone further activity in	
12	the Derivative Action until the motions to dismiss the Consolidated Class Actions	
13	are heard and resolved."	
14	See Doc. 16, ¶¶ 7, 9.	
15	2. On December 14, 2009, this Court (Judge Illston) entered an Order Relating	
16	Case relating this Derivative Action to the Class Actions. See Doc. 17 in this case and Doc	
17	57 in C-09-1001-SI.	
18	3. On April 27, 2010, this Court granted defendants' motions to dismiss the	
19	amended consolidated complaint in the Class Actions. Doc. 90 in C-09-1001-SI. On	
20	May 28, 2010, plaintiffs in the Class Actions filed a Second Amended Consolidated Class	
21	Action Complaint and, on June 24, 2010, plaintiffs filed a Third Amended Consolidated	
22	Class Action Complaint ("TAC"). See Doc. 94 and 99 in C-09-1001-SI.	
23	4. On September 3, 2010, this Court heard defendants' motions to dismiss the	
24	TAC in the Class Actions. See Doc. 122 in C-08-1001-SI, at 4. At the same time, the	
25	Court vacated the case management conference in the Class Actions, which was to be	
26	rescheduled after the Court issued its order on defendants' motions to dismiss the TAC.	
27	See id. The Court has not yet issued an order on defendants' motions and consequently has	
28	not rescheduled the case management conference in the Class Actions.	

Case3:09-cv-04963-SI Document44 Filed02/23/11 Page3 of 5

1	5. In light of the foregoing, the parties agree that it makes sense to postpone the		
2	case management conference in this Derivative Action (currently set for February 25 at		
3	3:00 p.m.) so that it occurs on the same day as the case management conference in the Cla		
4	Actions, which date has yet to be determined by this Court.		
5	STIPULATION		
6	THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned		
7	counsel for the parties herein and the parties hereby respectfully request that the Court		
8	continue the Case Management Conference currently set for February 25, 2011 at 3:00 p.m.		
9	until the date and time set for the case management conference in the Class Actions, which		
10	date and time will be determined by this Court after it issues an order on defendants'		
11	motions to dismiss the TAC filed in the Class Actions.		
12	DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B		
13	I, JEFFREY S. JACOBI, hereby declare pursuant to General Order 45, § X.B, that I		
14	have obtained the concurrence in the filing of this document from each of the other		
15	signatories listed below.		
16	I declare under penalty of perjury that the foregoing declaration is true and correct.		
17	Executed on February 23, 2011, at San Francisco, California.		
18	/s/ Jeffrey S. Jacobi		
19	Jeffrey S. Jacobi		
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Case3:09-cv-04963-SI Document44 Filed02/23/11 Page4 of 5

1	Dated: February 23, 2011.	
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3		JEFFREY JACOBI 50 Fremont Street
4		Post Office Box 7880 San Francisco, CA 94120-7880
5		San Francisco, CA 74120-7660
6		By <i>\s/Jeffrey S. Jacobi</i> Jeffrey S. Jacobi
7		Attorneys for Defendants JOHN C. FONTAINE, JACK E. THOMPSON,
8		PETER C. JONES, ROBERT E. FISHMAN, JOHN P. O'BRIEN, WILLY R. STROTHOTTE, JARL
9		BERNTZEN, CATHERINE Z. MANNING, LOGAN W. KRUGER, MICHAEL A. BLESS, WAYNE R.
10		HALE and STEVE SCHNEIDER, and Nominal Defendant CENTURY ALUMINUM COMPANY
11	Dated: February 23, 2011.	
12	• /	ORRICK, HERRINGTON & SUTCLIFFE
13		ROBERT P. VARIAN STEPHEN M. KNASTER
14		The Orrick Building 405 Howard Street
15		San Francisco, CA 94105
16		By/s/ Stephen M. Knaster
17		Stephen M. Knaster Attorneys for Defendants
18		CREDIT SUISSE SECURITIES (USA) LLC AND MORGAN STANLEY & CO. INCORPORATED
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Case3:09-cv-04963-SI Document44 Filed02/23/11 Page5 of 5

1	Dated: February 23, 2011.	
2		ROBBINS GELLER
3		RUDMAN & DOWD LLP SHAWN A. WILLIAMS 100 Pine Street, Suite 2600
4		San Francisco, CA 94111 - and –
5		TRAVIS E. DOWNS III BENNY C. GOODMAN III
6		655 West Broadway, Suite 1900 San Diego, CA 92101
7		
8		By /s/ <i>Benny C. Goodman III</i> Benny C. Goodman III
9		Attorneys for Plaintiff PLUMBERS AND PIPEFITTERS LOCAL UNION NO. 630 PENSION-
10		ANNUITY TRUST FUND, Derivatively on Behalf of CENTURY ALUMINUM COMPANY
11		
12	[PROPOSED] ORDER	
13	Upon consideration of the parties' stipulation and good cause appearing, IT IS	
14	HEREBY ORDERED THAT the Initial Case Management Conference currently set for	
15	February 25 at 3:00 p.m. is hereby continued until the date and time set for the case	
16	management conference in the related consolidated class actions, No. C-09-1001-SI (the	
17	"Class Actions"), which date and time will be determined by this Court after it issues an	
18	order on defendants' motions to dismiss the TAC filed in the Class Actions.	
19	Dated: $ _{2/23/11} $	Sua Mate
20		The Honorable Susan Illston
21		United States District Judge
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