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11 Attorneys for Defendants  
 Wachovia Securities, LLC, Wachovia Securities  
 12 Financial Network, LLC, Wachovia Capital Markets,  
 LLC, Wells Fargo Advisors, LLC, Wells Fargo  
 13 Advisors Financial Network, LLC, Wells Fargo  
 Securities, LLC, Wells Fargo & Company

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION

18 THEODORE KAGAN, JAMES AVEN, LAURA  
 19 JACOBS, JOSEPH SOFFE, and ALBERKRACK  
 20 FAMILY LIMITED PARTNERSHIP, on behalf  
 of themselves and all others similarly situated,

21 Plaintiffs,

22 v.

23 WACHOVIA SECURITIES, LLC, a North  
 Carolina limited liability company; WACHOVIA  
 24 SECURITIES FINANCIAL NETWORK, LLC, a  
 North Carolina limited liability company;  
 WACHOVIA CAPITAL MARKETS, LLC, a  
 25 North Carolina limited liability company;  
 WELLS FARGO ADVISORS, LLC, a Delaware  
 26 limited liability company; WELLS FARGO  
 ADVISORS FINANCIAL NETWORK, LLC, a  
 27 Delaware limited liability company; WELLS  
 FARGO SECURITIES, LLC, a Delaware limited  
 28 liability company; WELLS FARGO &

No. CV 09 5337 SC

**JOINT STIPULATION BETWEEN  
 PLAINTIFFS AND DEFENDANTS  
 RE DATES FOR FILING  
 RESPONSIVE PLEADING**

Place: Courtroom 1  
 Judge: Hon. Samuel Conti

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1 COMPANY, a Delaware corporation and DOES  
1 through 10, inclusive,  
2  
3 Defendants.

4 This Stipulation is entered into by and among plaintiffs Theodore Kagan, James  
5 Aven, Laura Jacobs, Joseph Soffa and Alberkrack Family Limited Partnership (collectively,  
6 "Plaintiffs"), on the one hand, and defendants Wachovia Securities, LLC, Wachovia Securities  
7 Financial Network, LLC, Wachovia Capital Markets, LLC, Wells Fargo Advisors, LLC, Wells  
8 Fargo Financial Network, LLC, Wells Fargo Securities, LLC and Wells Fargo & Company  
9 (collectively, "Defendants"), on the other hand, with the following facts:

- 10 A. Plaintiffs filed their Summons and Complaint in the above-captioned matter  
11 (the "Complaint") on or about November 10, 2009;
- 12 B. Plaintiffs served their Complaint on Defendants on or about January 22, 2010;
- 13 C. Defendants' response to the Complaint is currently due by Thursday, March  
14 11, 2010.
- 15 D. A Joint Case Management Conference Statement is currently due by April 27,  
16 2010;
- 17 E. A Case Management Conference is currently set for May 7, 2010, at 10:00  
18 a.m. in Courtroom #1;
- 19 F. Plaintiffs and Defendants have met and conferred in good faith over the claims  
20 asserted in the Complaint.

21 **IT IS HEREBY STIPULATED AND AGREED as follows:**

- 22 1. Defendants' response to the Complaint is currently due by Thursday, March 11,  
23 2010.
- 24 2. A Case Management Conference is set for May 7, 2010, at 10:00 a.m. in  
25 Courtroom #1, and the Plaintiffs' and Defendants' Joint Case Management Conference  
26 Statement is due by April 27, 2010.

1           3.       Defendants seek a further extension of time to respond to the Complaint, to allow  
2 Plaintiffs and Defendants to further discuss the issues presented in the Complaint, and potentially  
3 narrow those issues. Defendants also seek additional time for preparation of the response to the  
4 Complaint.

5           4.       Plaintiffs consent to granting all Defendants an extension of time in which  
6 Defendants must respond to the Complaint. Subject to the Court's approval, all Defendants shall  
7 file their response to the Complaint on or before April 1, 2010.

8           5.       Plaintiffs and Defendants have met and conferred in good faith over the claims  
9 asserted in the Complaint.

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11 DATED: March 4, 2010

Bingham McCutchen LLP

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By: Kevin J. Woods  
Donald S. Davidson  
Michael D. Blanchard  
Kevin J. Woods  
Attorneys for Defendants

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18 DATED: March 2, 2010

Kabateck Brown Kellner LLP

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By: Michael V. Storti  
Michael V. Storti  
Attorney for Plaintiffs

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