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10 Attorneys for Defendants  
 Wells Fargo Advisors, LLC, Wells Fargo Advisors  
 11 Financial Network, LLC, Wells Fargo Securities, LLC,  
 and Wells Fargo & Company  
 12

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 THEODORE KAGAN, JAMES AVEN,  
 FRANCES LEVY, ELAINE SOFFA, JOSEPH  
 17 SOFFA, and ALBERKRACK FAMILY  
 LIMITED PARTNERSHIP, on behalf of  
 18 themselves and all others similarly situated,

19 Plaintiffs,

20 v.

21 WACHOVIA SECURITIES, L.L.C., a North  
 Carolina limited liability company; WACHOVIA  
 22 SECURITIES FINANCIAL NETWORK, L.L.C.,  
 a North Carolina limited liability company;  
 23 WACHOVIA CAPITAL MARKETS, L.L.C., a  
 North Carolina limited liability company;  
 24 WELLS FARGO ADVISORS, L.L.C., a  
 Delaware limited liability company; WELLS  
 25 FARGO ADVISORS FINANCIAL NETWORK,  
 L.L.C., a Delaware limited liability company;  
 26 WELLS FARGO SECURITIES, L.L.C., a  
 Delaware limited liability company; WELLS  
 27 FARGO & COMPANY, a Delaware corporation;  
 and DOES 1 through 10, inclusive,  
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No. 09-5337 (SC)

**STIPULATION TO EXTEND  
 DEADLINE TO SUBMIT  
 SETTLEMENT AGREEMENT FOR  
 THE COURT'S APPROVAL**

Judge: Hon. Samuel Conti

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Defendants.

BRENT BALKEMA, as Trustee for the Jesse J. Balkema Rev Trust, on behalf of himself and all others similarly situated,

Plaintiffs,

v.

WACHOVIA SECURITIES, LLC, a North Carolina limited liability company, WACHOVIA SECURITIES FINANCIAL NETWORK, LLC, a North Carolina limited liability company, WELLS FARGO ADVISORS LLC; a Delaware limited liability company, WELLS FARGO SECURITIES FINANCIAL NETWORK, LLC, a Delaware limited liability company,

Defendants.

No. CV-11-00412 (SC)

Through this Stipulation, Plaintiffs Theodore Kagan, James Aven, Frances Levy, Elaine Sofa, Joseph Sofa, Alberkrack Family Limited Partnership, and Brent Balkema (“Plaintiffs”) and Defendants Wells Fargo Advisors, LLC (sued under its own name and also under the name “Wachovia Securities, LLC”), Wells Fargo Advisors Financial Network, LLC (sued under its own name and also under the name “Wachovia Securities Financial Network, LLC”), Wells Fargo Securities (sued under its own name and also under the name “Wachovia Capital Markets, LLC”) and Wells Fargo & Company (“Defendants”), collectively referred to herein as the “Parties,” through their counsel of record, hereby stipulate to extend the previously agreed deadline for the parties to submit a proposed class action settlement stipulation and motion for preliminary approval of settlement to January 13, 2012.

WHEREAS, the Parties have exchanged drafts of a proposed settlement agreement on behalf of a proposed settlement class and are in good faith working towards completing drafts of accompanying documents necessary for the Court’s consideration of the proposed settlement, subject to completion of confirmatory discovery;

WHEREAS, given the nature of this litigation and proposed settlement, involving a class action regarding the settlement of claims arising from a previous class action, the proposed

1 settlement drafts and accompanying settlement materials are complicated documents not readily  
2 duplicated by use of boilerplate class action settlement language and require extensive drafting  
3 of appropriate language for the Court's consideration;

4 WHEREAS, the Parties have in good faith been engaging in confirmatory discovery in  
5 connection with the settlement and such discovery is near complete;

6 WHEREAS, upon completion of confirmatory discovery, anticipated to occur by  
7 December 18, 2011, the Parties will be able to finalize a proposed settlement and all  
8 accompanying documents necessary for the Court's consideration;

9 WHEREAS, the Parties anticipate that they will be able to resolve all outstanding details  
10 and finalize the proposed settlement by January 13, 2012;

11 NOW, THEREFORE, the Parties jointly request and hereby stipulate that the Parties shall  
12 submit a settlement agreement, combined with a stipulation to conditionally certify a class for  
13 settlement purposes, for the Court's approval under Federal Rule of Civil Procedure 23(e), no  
14 later than January 13, 2012.

15 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:**

16 DATED: December 6, 2011

17 KABATECK BROWN KELLNER LLP

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19  
20 By: \_\_\_\_\_ /s/ Karen Liao  
Richard L. Kellner  
Karen Liao  
Attorneys for Plaintiffs

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22 DATED: December 6, 2011

23 BINGHAM MCCUTCHEN LLP

24  
25  
26 By: \_\_\_\_\_ /s/ Michael D. Blanchard  
Michael D. Blanchard  
Donald S. Davidson  
Sarah L. Bishop  
Attorneys for Defendants



1           **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

2           Pursuant to the stipulation of the Parties and good cause appearing, the deadline for the  
3 Parties to submit a class action settlement stipulation and motion for preliminary approval of  
4 settlement shall be January 13, 2012.

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6 DATED: December 8, 2011  
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9 By: \_\_\_\_\_  
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