

E-Filed 6/28/10

1 BARROWAY TOPAZ KESSLER
 2 MELTZER & CHECK, LLP
 3 RAMZI ABADOU (Bar No. 222567)
 4 NICHOLE BROWNING (Bar No. 251937)
 5 STACEY KAPLAN (Bar No. 241989)
 6 ERIK D. PETERSON (Bar No. 257098)
 7 580 California Street, Suite 1750
 8 San Francisco, CA 94104
 9 Tel: (415) 400-3000
 10 Fax: (415) 400-3001
 11 rabadou@btkmc.com
 12 nbrowning@btkmc.com
 13 skaplan@btkmc.com
 14 epeterson@btkmc.com

9 BERNSTEIN LITOWITZ BERGER
 & GROSSMANN LLP
 10 DAVID R. STICKNEY (Bar No. 188574)
 11 BENJAMIN GALDSTON (Bar No.
 12 211114)
 13 12481 High Bluff Drive, Suite 300
 14 San Diego, CA 92130
 15 Tel: (858) 793-0070
 16 Fax: (858) 793-0323
 17 davids@blbglaw.com
 18 beng@blbglaw.com

KAPLAN FOX & KILSHEIMER LLP
 FREDERIC S. FOX (*pro hac vice*)
 JOEL B. STRAUSS (*pro hac vice*)
 DONALD R. HALL (*pro hac vice*)
 850 Third Avenue, 14th Floor
 New York, NY 10022
 Tel: (212) 687-1980
 Fax: (212) 687-7714
 ffox@kaplanfox.com
 jstrauss@kaplanfox.com
 dhall@kaplanfox.com

Counsel for Lead Plaintiffs

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

18 HARRY W. PLICHTA, Individually and On
 19 Behalf of All Others Similarly Situated,

Plaintiff,

v.

21 SUNPOWER CORPORATION, THOMAS
 22 H. WERNER, DENNIS V. ARRIOLA,
 23 EMMANUEL T. HERNANDEZ,
 24 DEUTSCHE BANK SECURITIES INC.,
 25 CREDIT SUISSE SECURITIES (USA)
 26 LLC, LAZARD CAPITAL MARKETS
 27 LLC, BARCLAYS CAPITAL INC, PIPER
 28 JAFFRAY & CO., WACHOVIA CAPITAL
 MARKETS, LLC n/k/a WELLS FARGO
 SECURITIES, LLC, SL HARE CAPITAL,
 INC., T.J. RODGERS, W. STEVE
 ALBRECHT, BETSY S. ATKINS,
 PATRICK WOOD, III & UWE-ERNST
 BUFE

Defendants.

Case No. CV 09-5473-RS
 (Consolidated)

CLASS ACTION

**STIPULATION AND ~~[PROPOSED]~~
 SCHEDULING ORDER
 AS MODIFIED BY THE COURT**

1 WHEREAS, pursuant to the Court order entered on April 19, 2010, lead plaintiffs filed
2 a consolidated complaint on May 28, 2010; and

3 WHEREAS, pursuant to the Court order entered on April 19, 2010, the parties met and
4 conferred within five (5) days of the filing of the consolidated complaint;

5 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as
6 follows:

7 (1) Defendants shall respond to the consolidated complaint on or before July 29, 2010;

8 (2) In the event any of the defendants respond to the consolidated complaint by motion,
9 lead plaintiffs' opposition to such motion shall be filed on or before September 15,
10 2010;

11 (3) Defendants shall file any reply papers on or before October 14, 2010; and

12 (4) In the event any of the defendants respond to the consolidated complaint by motion,
13 such motions shall be heard on November 4, 2010 at 1:30 p.m., or at such time
14 thereafter that is convenient to the Court, in Courtroom 3, 17th Floor, United States
15 Courthouse, 450 Golden Gate Avenue, San Francisco, California.

16 *

17 Dated: June 25, 2010

BARROWAY TOPAZ KESSLER
MELTZER & CHECK LLP

/s/ Erik D. Peterson

RAMZI ABADOU (Bar No. 222567)
NICHOLE BROWNING (Bar No. 251937)
STACEY KAPLAN (Bar No. 241989)
ERIK D. PETERSON (Bar No. 257098)

22 Dated: June 25, 2010

BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP

/s/ David R. Stickney

DAVID R. STICKNEY (Bar No. 188574)
BENJAMIN GALDSTON (Bar No. 211114)

26 * A Case Management Conference shall be held on October 7, 2010 at 10:00 a.m. in courtroom 3,
27 17th Floor, U.S. Courthouse. The parties shall file a Joint Case Management Conference
28 Statement one week prior to the conference.

1 Dated: June 25, 2010

KAPLAN FOX & KILSHEIMER LLP

2 /s/ Joel B. Strauss

3 FREDERIC S. FOX (pro hac vice)
4 JOEL B. STRAUSS (pro hac vice)
5 DONALD R. HALL (pro hac vice)

6 -and-

7 LAURENCE D. KING (Bar No. 206423)
8 MARIO M. CHOI (Bar No. 243409)
9 350 Sansome Street, Suite 400
10 San Francisco, CA 94104
11 Tel: (415) 772-4700
12 Fax: (415) 772-4707

13 *Counsel for Lead Plaintiffs*

14 Dated: June 25, 2010

MORRISON & FOERSTER LLP

15 /s/ Jordan Eth

16 JORDAN ETH (Bar No. 121617)
17 JUDSON LOBDELL (Bar No. 146041)
18 425 Market Street
19 San Francisco, CA 94105
20 Tel: (415) 268-7000
21 Fax: (415) 268-7522
22 JEth@mofocom
23 JLobdell@mofocom

24 *Counsel for Defendants SunPower Corporation,*
25 *Thomas H. Werner, Dennis V. Arriola, Emmanuel*
26 *T. Hernandez, T.J. Rodgers, W. Steve Albrecht,*
27 *Betsy S. Atkins, Patrick Wood, III and Uwe-Ernst*
28 *Bufe*

Dated: June 25, 2010

SHEARMAN & STERLING LLP

29 /s/ Stephen D. Hibbard

30 STEPHEN D. HIBBARD (Bar No. 177865)
31 525 Market Street
32 San Francisco, CA 94105
33 Tel: (415) 616-1100
34 Fax: (415) 616-1199
35 shibbard@shearman.com

36 *Counsel for Defendants Deutsche Bank Securities*
37 *Inc., Credit Suisse Securities (USA) LLC, Lazard*
38 *Capital Markets LLC, Barclays Capital Inc, Piper*
39 *Jaffray & Co., Wachovia Capital Markets, LLC*
40 *n/k/a Wells Fargo Securities, LLC and SL Hare*
41 *Capital, Inc.*

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 Dated: 6/28/10



4 HONORABLE RICHARD SEEBORG
5 UNITED STATES DISTRICT JUDGE
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