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 8 BETSY S. ATKINS, UWE-ERNST BUFE, T.J.  
 RODGERS, AND PATRICK WOOD, III

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13 HARRY W. PLICHTA, Individually and on  
 14 Behalf of All Others Similarly Situated,

Plaintiff,

v.

16 SUNPOWER CORPORATION, THOMAS  
 17 H. WERNER, DENNIS V. ARRIOLA,  
 EMMANUEL T. HERNANDEZ,  
 18 DEUTSCHE BANK SECURITIES INC.,  
 CREDIT SUISSE SECURITIES (USA)  
 19 LLC, LAZARD CAPITAL MARKETS  
 LLC, BARCLAYS CAPITAL INC, PIPER  
 20 JAFFRAY & CO., WACHOVIA CAPITAL  
 MARKETS, LLC N/K/A WELLS FARGO  
 21 SECURITIES, LLC, SL HARE CAPITAL,  
 INC., T.J. RODGERS, W. STEVE  
 22 ALBRECHT, BETSY S. ATKINS,  
 PATRICK WOOD, III & UWE-ERNST  
 23 BUFE

Defendants.

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

CLASS ACTION

**STIPULATION AND [PROPOSED]  
 ORDER CONTINUING  
 CASE MANAGEMENT  
 CONFERENCE**

1           WHEREAS, the above-captioned action is a securities class action lawsuit, governed by  
2 the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737;

3           WHEREAS, on May 28, 2010, Lead Plaintiffs Arkansas Teacher Retirement System,  
4 Första-AP Fonden, and Danske Investment Management A/S (collectively, “Lead Plaintiffs”),  
5 filed the Consolidated Class Action Complaint for Violation of the Federal Securities Laws  
6 [Dkt. No. 92] (the “Consolidated Complaint”);

7           WHEREAS, on August 5, 2010, Defendants filed motions to dismiss the Consolidated  
8 Complaint [Dkt. Nos. 112, 122];

9           WHEREAS, Lead Plaintiffs are scheduled to file an opposition to the motions to dismiss  
10 on or before September 22, 2010;

11           WHEREAS, by Court order entered on June 28, 2010 [Dkt. No. 109], a case  
12 management conference in these actions is currently scheduled for October 7, 2010;

13           WHEREAS, Defendants are scheduled to file replies in support of their motions to  
14 dismiss on or before October 21, 2010;

15           WHEREAS, the motions to dismiss are scheduled to be heard by the Court on  
16 November 4, 2010;

17           WHEREAS, it would conserve judicial and party resources to hold the case management  
18 conference in this action after the motions to dismiss are decided;

19           IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as  
20 follows:

21           (1)     The case management conference currently scheduled for October 7, 2010, shall  
22 be rescheduled to January 13, 2011, at 10:00 a.m., or at such time thereafter that is convenient to  
23 the Court, in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San  
24 Francisco, California; and

25           (2)     The parties shall file a Joint Case Management Conference Statement one week  
26 prior to the conference.

27           ///  
28

1 Dated: September 20, 2010

JORDAN ETH  
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By:           /s/ Judson Lobdell            
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Dated: September 20, 2010

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Dated: September 20, 2010

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12 Dated: September 20, 2010

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 22, 2010



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HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE