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2	MORRISON & FOERSTER LLP 425 Market Street				
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5	Attorneys for Defendants				
6	SUNPOWER CORPORATION, THOMAS H. WERNER, DENNIS V. ARRIOLA,				
7	EMMANUEL T. HERNANDEZ, AND MARTY T. NEESE				
8	UNITED STATES DISTRICT COURT				
9					
10	NORTHERN DISTRICT OF CALIFORNIA				
11	HADDAW DUCHTA I I''I II I	C N CV 00 05472 CDD			
12	HARRY W. PLICHTA, Individually and on Behalf of All Others Similarly Situated,	Case No.: CV-09-05473 CRB			
13	Plaintiff,	CLASS ACTION			
14	V.				
15	SUNPOWER CORPORATION,				
16	THOMAS H. WERNER, and DENNIS V. ARRIOLA,				
17	Defendants.				
18					
19	STEVEN PARRISH, Individually and on Behalf of All Others Similarly Situated,	Case No.: CV-09-05520 CRB			
20	Plaintiff,	CLASS ACTION			
21	v.				
22	SUNPOWER CORPORATION,				
23	THOMAS H. WERNER, and DENNIS V. ARRIOLA,				
24	Defendants.				
25					
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27					
28					
	STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT sf-2778316				

1	CHENGXIAO CAO, Individually and On Behalf of All Others Similarly Situated, Case No.: CV-09-05488 BZ		
2	CLASS ACTION		
3	Plaintiff,		
4	V.		
5	SUNPOWER CORPORATION, PRICEWATERHOUSECOOPERS LLP,		
6	THOMAS H. WERNER, DENNIS V. ARRIOLA, EMMANUEL T. HERNANDEZ,		
7	and MARTY T. NEESE,		
8	Defendants.		
9			
10	STIPULATION AND [PROPOSED] ORDER EXTENDING TIME		
11	TO RESPOND TO COMPLAINT		
12	WHEREAS, the above-captioned actions are securities class action lawsuits, governed by		
13	the Private Securities Litigation Reform Act of 1995, against SunPower Corporation ("SunPower"),		
14	certain of its officers, and PricewaterhouseCoopers LLP (collectively "Defendants");		
15	WHEREAS, these three actions are related cases within the meaning of Northern District of		
16	California Civil Local Rule 3-12;		
17	WHEREAS, the parties expect the actions will be consolidated pursuant to Federal Rule of		
18	Civil Procedure 42(a);		
19	WHEREAS, the Court is expected to designate a Lead Plaintiff, who shall designate a law		
20	firm or law firms to serve as Lead Plaintiff's counsel pursuant to 15 U.S.C. § 77aa(a)(3)(B)(v)		
21	and/or 5 U.S.C. § 78u-4(a)(3)(B)(v);		
22	WHEREAS, the designated Lead Plaintiff will file a Consolidated Complaint for the		
23	consolidated action, which will become the operative complaint and shall supersede all complaints		
24	previously filed in these actions;		
25	WHEREAS, it would be duplicative and a waste of judicial resources for Defendants to		
26	respond to the individual complaints previously filed in these actions before Lead Plaintiff files a		
27	Consolidated Complaint.		
28			
	STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT sf-2778316		

1	IT IS HEREBY STIPULATED AND AGREED among the undersigned parties as follows:					
2	1. Defendants' undersigned counsel hereby accept service of the Complaints filed herein					
3	on behalf of Defendants;					
4	2. Defendants shall not be required to answer or otherwise respond to the individual					
5	complaints previously filed in these actions;					
6	3. Defendants shall answer or otherwise respond to a Consolidated Complaint after					
7	meeting and conferring with Lead Plaintiff regarding scheduling, or as ordered by the Court.					
8	SO STIPULATED.					
9	Dated: December 17, 2009					
10	MORRISON & FOERSTER LLP					
11	JORDAN ETH JUDSON E. LOBDELL					
12	425 Market Street San Francisco, CA 94105					
13	By:/s/ Jordan Eth					
14	JORDAN ETH					
15	Counsel for Defendants SunPower Corp., Thomas H. Werner, Dennis V. Arriola,					
16	Emmanuel T. Hernandez and Marty T. Neese					
17	LATHAM & WATKINS LLP					
18	MATTHEW RAWLINSON MILES RUTHBERG					
19	140 Scott Drive Menlo Park, CA 94025					
20						
21	By: /s/ Matthew Rawlinson MATTHEW RAWLINSON					
22	Counsel for Defendant					
23	PricewaterhouseCoopers LLP					
24	///					
25	///					
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27						
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	STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT					
	sf-2778316 2					

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3	DARREN J. ROBBINS		
4	DAVID C. WALTON CATHERINE J. KOWALEWSKI		
5	655 West Broadway, Suite 1900 San Diego, CA 92101		
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7	By: /s/ Catherine J. Kowalewski CATHERINE J. KOWALEWSKI		
8	Counsel for Plaintiff Harry W. Plichta		
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10	GLANCY BINKOW & GOLDBERG LLP		
11	LIONEL Z. GLANCY MICHAEL GOLDBERG		
12	1801 Avenue Of The Stars, Suite 311 Los Angeles, CA 90067		
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14	By: /s/ Michael Goldberg MICHAEL GOLDBERG		
15	Counsel for Plaintiff Steven Parrish		
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17	KAHN SWICK & FOTI, LLC LEWIS S. KAHN		
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19	HAGENS BERMAN SOBOL SHAPIRO LLP		
20	REED R. KATHREIN PETER E. BORKON		
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22			
23	By: /s/ Lewis S. Kahn LEWIS S. KAHN		
24			
25	Counsel for Plaintiff Chengxiao Cao		
26	///		
27	///		
28			
	STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT		
	sf-2778316 3		

* * *

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: December 18, 2009

JNITED STATES DISTRICT JUDGE

Stipulation and [Proposed] Order Extending Time To Respond To Complaint sf-2778316 4

1	I, Jordan Eth, am the ECF User whose ID and password are being used to file this					
2	Stipulation and [Proposed] Order Extending Time to Respond to Complaint. In compliance with					
3	General Order 45, X.B., I hereby attest that Matthew Rawlinson, Catherine Kowalewski, Michael					
4	Goldberg, and Lewis S. Kahn have concurred in this filing.					
5	Dated: December 17, 2009	Ву:	/s/ Jordan Eth			
6		_	JORDAN ETH			
7		Thoma	Counsel for Defendants SunPower Corp., Thomas H. Werner, Dennis V. Arriola,			
8		Emma	nuel T. Hernandez and Marty T. Neese			
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STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT sf-2778316 $\,\,$