

1 COOLEY LLP
 2 MARTIN S. SCHENKER (109828)
 3 WHITTY SOMVICHIAN (194463)
 4 101 California Street, Fifth Floor
 5 San Francisco, California 94111-5800
 Telephone: (415) 693-2000
 Facsimile: (415) 693-2222
 Email: mschenker@cooley.com
 Email: wsomvichian@cooley.com

6 COOLEY LLP
 7 DOUGLAS P. LOBEL (*pro hac vice*)
 8 11951 Freedom Drive, Suite 1600
 9 Reston, Virginia 20190
 Telephone: (703) 456-8000
 Facsimile: (703) 456-8100
 Email: dlobel@cooley.com

10 Attorneys for Defendant
 11 E*TRADE SECURITIES LLC

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**

16 JOSEPH ROLING and ALEXANDER
 17 LANDVATER, individuals and on behalf of
 18 all others similarly situated,

19 Plaintiffs,

20 v.

21 E*TRADE SECURITIES LLC,
 22 a Delaware limited liability company, and
 23 Does 1-50, inclusive,

24 Defendants.

Case No. CV 10-488 EMC

**STIPULATION AND [PROPOSED] ORDER
 REGARDING OVERLENGTH BRIEF ON
 RENEWED MOTION FOR SUMMARY
 JUDGMENT**

1 IT IS HEREBY STIPULATED by and between plaintiffs Joseph Roling and Alexander
2 Landvater (“Plaintiffs”) and E*TRADE Securities LLC (“E*TRADE”), that:

3 1. E*TRADE may file an overlength brief, not to exceed 30 pages, in support of its
4 Renewed Motion for Summary Judgment, which E*TRADE intends to file on February 3, 2012
5 (the “Motion”); and

6 2. Plaintiffs may file an overlength brief, not to exceed 30 pages, in opposition to
7 the Renewed Motion within 14 days of filing and service of E*TRADE’s brief as permitted by
8 the Local Rules of this Court. If Plaintiffs file an amended complaint on or before January 27,
9 2011, E*TRADE will then immediately withdraw its currently-pending Motion for Summary
10 Judgment, and thus Plaintiffs’ present deadline of January 31, 2012 for filing an Opposition to
11 the currently-pending motion (along with the Hearing scheduled for February 24, 2012) will be
12 removed from the calendar.

13 IT IS SO STIPULATED.

14 Dated: January 25, 2012

EDELSON MCGUIRE LLP

17 By: /s/ Steven L. Woodrow
Steven L. Woodrow (*pro hac vice*)

18 Counsel for Plaintiffs

19 Dated: January 25, 2012

COOLEY LLP

22 By: /s/ Douglas P. Lobel
Douglas P. Lobel (*pro hac vice*)

23 Attorneys for Defendant
24 E*TRADE SECURITIES LLC

25 IT IS SO ORDERED.

26 Dated: 1/25/12

27 The Honorable
United States

