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8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **AT SAN FRANCISCO**

11	-----X	
12	DAVID APPLESTEIN, Individually and on Behalf)	No. CV 10-0998 MHP
13	Of All Others Similarly Situated,)	
14)	<u>CLASS ACTION</u>
15)	
16	Plaintiff,)	JOINT STIPULATION AND
17)	PROPOSED ORDER
18	vs.)	REGARDING CONTINUATION
19)	OF CASE MANAGEMENT
20	MEDIVATION, INC., DAVID T. HUNG, C.)	CONFERENCE
21	PATRICK MACHADO, LYNN SEELY and)	
22	ROHAN PALEKAR,)	CTRM: 15, 18 th Floor
23)	JUDGE: Hon. Marilyn H. Patel
24	Defendants.)	
25	-----X	

26 WHEREAS, on May 10, 2010, motions for appointment as Lead Plaintiff were filed by
 27 Randy Schindler (Docket No. 7), Michael Solomon, Greg Hershberger and Harvey Schwartz
 28 (Docket No. 13), Catoosa Fund, LP (Docket No. 24), Mark Slotkin (Docket No. 28), and Hopson
 Family Investments (Docket No. 37) in the above-referenced action; and

WHEREAS, on June 9, 2010, the Court Clerk issued a Notice scheduling a Case
 Management Conference on August 9, 2010 (Docket No. 53); and

WHEREAS, the Court held a hearing concerning the motions for appointment as Lead
 Plaintiff, Lead Counsel and consolidation on July 12, 2010, at which time, the Court requested
 additional information concerning the Lead Plaintiff Movants (Docket No. 79); and

1 WHEREAS, the Court stated at the hearing concerning the motions for appointment as
2 Lead Plaintiff, Lead Counsel and consolidation on July 12, 2010 that *Vadym Shabanov v.*
3 *Medivation, Inc., et al.*, cv 10-1049 MHP and *Slotkin v. Medivation, Inc., et al.*, cv 10-02005
4 MHP, had already been related to and would be consolidated with *David Applestein v.*
5 *Medivation, Inc., et al.*, cv 10-0998 MHP; and

6 WHEREAS, the Court indicated at the hearing concerning the motions for appointment
7 as Lead Plaintiff, Lead Counsel and consolidation on July 12, 2010 that it would set the Case
8 Management Conference either after Defendants file an answer, or when a hearing is scheduled
9 on a motion to dismiss; and

10 WHEREAS, the Lead Plaintiff Movants submitted supplemental information concerning
11 the appointment as Lead Plaintiff (Docket Nos. 82-87); and

12 WHEREAS, on August 4, 2010, counsel for Defendants and counsel for Plaintiffs
13 discussed whether counsel would be willing to stipulate to continue the Case Management
14 Conference until either after Defendants file an answer, or when a hearing is scheduled on a
15 motion to dismiss in order to conserve judicial and litigant resources; and

16 THEREFORE, the parties jointly stipulate and respectfully request, subject to the Court's
17 approval, that the case management conference should be continued until either after Defendants
18 file an answer, or when a hearing is scheduled on a motion to dismiss.

19
20 IT IS SO STIPULATED.

21 DATED: August 5, 2010

22 IZARD NOBEL LLP
23 JEFFREY S. NOBEL
24 MARK P. KINDALL
25 NANCY A. KULESA
26 /s/ MARK P. KINDALL
27 MARK P. KINDALL
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Attorneys for Mark Slotkin

1 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint
2 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In
3 compliance with General Order 45, X.B., I hereby attest that Danielle S. Meyers has concurred in
4 this filing.

5 DATED: August 5, 2010

6 ROBBINS GELLER RUDMAN
7 & DOWD LLP
8 DARREN J. ROBBINS
9 DANIELLE S. MYERS
10 /s/ DANIELLE S. MYERS
11 DANIELLE S. MYERS
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16 Attorneys for Hopson Family Investments

17 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint
18 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In
19 compliance with General Order 45, X.B., I hereby attest that U. Seth Ottensoser has concurred in
20 this filing.

21 DATED: August 5, 2010

22 BERNSTEIN LIEBHARD LLP
23 SANDY A. LIEBHARD
24 U. SETH OTTENSOSER
25 JOSEPH R. SEIDMAN, JR.
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I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint
Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In
compliance with General Order 45, X.B., I hereby attest that Rosemary M. Rivas has concurred
in this filing.

1
2 DATED: August 5, 2010

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8 Attorneys for Randy Schindler

9 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint
10 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In
11 compliance with General Order 45, X.B., I hereby attest that William J. Doyle has concurred in
this filing.

12 DATED: August 5, 2010

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22 Attorneys for Michael Solomon

1 I, Mark P. Kindall, am the ECF User whose ID and password are being used to file the Joint
2 Stipulation and [Proposed] Order Regarding Continuation of Case Management Conference. In
3 compliance with General Order 45, X.B., I hereby attest that Angela L. Dunning has concurred
4 in this filing.

4 DATED: August 5, 2010

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GOOD CAUSE APPEARING THEREFORE: the Court ORDERS as follows:

1. The August 9, 2010 Case Management Conference shall be taken off the calendar; and
2. The new case management conference date shall be scheduled either after Defendants file an answer, or when a hearing is scheduled on a motion to dismiss;

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/6/2010

THE HONORABLE
UNITED STATES



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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of August, 2010 this document was filed electronically and served via U.S. mail on all parties not registered electronically. Notice of this filing will be sent by e-mail to all parties denoted on the attached Electronic Mail Notification List by the Court's electronic filing system.

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Mailing Information for a Case 3:10-cv-00998-MHP

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

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18 **Manual Notice List**

19 The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case
20 (who therefore require manual noticing).

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22 Bernstein Liebhard LLP
23 10 East 40th Street
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