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9 Attorneys for Defendants

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 DOUGLAS K. McDANIEL and BRYAN
 14 CLARK, on behalf of themselves, all
 others similarly situated, and the general
 15 public,

16 Plaintiffs,

17 vs.

18 WELLS FARGO INVESTMENTS, LLC, a
 Delaware limited liability company,
 19 WELLS FARGO BANK, N.A., a National
 Association, WELLS FARGO
 20 ADVISORS, LLC, formerly known as
 Wachovia Securities, LLC, a Delaware
 21 limited liability company, and DOES 1
 through 50 inclusive,

22 Defendants.
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CASE NO. CV 10 4916 SC

**STIPULATION AND [PROPOSED]
 ORDER SETTING RULE 12 MOTION
 BRIEFING SCHEDULE**

1 WHEREAS, Plaintiffs have filed the instant putative class action relating to their
2 employment with Defendants;

3 WHEREAS, Defendants intend to file a motion pursuant to Rule 12 of the Federal Rules
4 of Civil Procedure in response to the First Amended Complaint;

5 WHEREAS, the parties have met and conferred and determined that June 24, 2011 would
6 be a mutually acceptable hearing date, and Defendants have reserved June 24, 2011 at 10 a.m. for
7 the hearing on Defendants' motion;

8 WHEREAS, the parties have agreed to a schedule for briefing on the motion to dismiss;

9 NOW THEREFORE, Plaintiffs and Defendants through their counsel of record stipulate
10 to the following and respectfully request an order to this effect:

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1 IT IS HEREBY STIPULATED that the Opening Memorandum for Defendants' Rule 12
2 motion is due on May 6, 2011, Plaintiffs' Opposition Memorandum is due on May 27, 2011, and
3 Defendants' Reply Memorandum is due on June 10, 2011 (fourteen days before the hearing as
4 required by the Civil Local Rules).

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6 DATED: April 26, 2011

Law Offices Of William P. Torngren
WILLIAM P. TORNGREN

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10 By /s/ William P. Torngren
WILLIAM P. TORNGREN

11 Attorneys for Plaintiffs

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13 DATED: April 26, 2011

Munger, Tolles & Olson LLP

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15 By: /s/ Malcolm A. Heinicke
MALCOLM A. HEINICKE

16 Attorneys for Defendants¹

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18 **PURSUANT TO STIPULATION, IT IS SO ORDERED**, that the Opening Memorandum for
19 Defendants' Rule 12 motion is due on May 6, 2011, Plaintiffs' Opposition Memorandum is due
20 on May 27, 2011, and Defendants' Reply Memorandum is due on June 10, 2011 (fourteen days
21 before the hearing as required by the Civil Local Rules).

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23 April 27, 2011



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27 ¹ I, Malcolm A. Heinicke, am the ECF User whose identification and password are being
28 used to file this STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING
SCHEDULE In compliance with General Order 45.X.B., I hereby attest that William P. Torngren
concurred in this filing.