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WHEREAS, pursuant to a stipulated briefing schedule, defendants filed a motion to dismiss the Amended Class Action Complaint on November 7, 2011, and that motion has been fully briefed and taken under submission by the Court;

WHEREAS, this Court has not yet ruled on defendants' motion to dismiss;

WHEREAS, pursuant to the Reform Act, all proceedings herein are stayed until and unless a motion to dismiss is denied;

WHEREAS, in light of the foregoing, the parties believe that a case management conference at this point would serve no purpose and would result in the needless expenditure of private and judicial resources, and that the case management conference in this action should be continued to a date after the Court has had an opportunity to consider defendants' motion to dismiss:

WHEREAS, the parties have conferred with the Court and been informed that May 25, 2012, at 10:00 a.m. is a convenient date for the case management conference;

IT IS ACCORDINGLY STIPULATED, by and between the undersigned counsel for the parties, that:

- 1. The case management conference presently scheduled for March 16, 2012 is continued to May 25, 2012, at 10:00 a.m.
- 2. The parties will file a Joint Case Management Conference Statement seven (7) days prior to the case management conference.

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## 1. May 25, 2012, at 10:00 a.m. 2. March 2, 2012 Dated: FENWICK & WEST LLP Attorneys at Law Mountain View

## [PROPOSED] ORDER

Pursuant to the foregoing stipulation, it is hereby ordered that:

- The case management conference scheduled for March 16, 2012 is continued to
- The parties will file a Joint Case Management Conference Statement seven (7) days prior to the case management conference.

The Honorable Samuel Conti