

1 KEVIN P. MUCK (CSB No. 120918)  
[kmuck@fenwick.com](mailto:kmuck@fenwick.com)  
 2 CATHERINE KEVANE (CSB No. 215501)  
[ckevane@fenwick.com](mailto:ckevane@fenwick.com)  
 3 MARIE C. BAFUS (CSB No. 258417)  
[mbafus@fenwick.com](mailto:mbafus@fenwick.com)  
 4 FENWICK & WEST LLP  
 555 California Street, 12th Floor  
 5 San Francisco, CA 94104  
 Telephone: (415) 875-2300  
 6 Facsimile: (415) 281-1350

7 Attorneys for Defendants  
 Equinix, Inc., Stephen M. Smith and Keith D. Taylor  
 8

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 CEMENT MASONS & PLASTERERS  
 12 JOINT PENSION TRUST, Individually and  
 on Behalf of All Others Similarly Situated,

13 Plaintiff,

14 vs.

15 EQUINIX, INC., STEPHEN M. SMITH and  
 16 KEITH D. TAYLOR,

17 Defendants.  
 18

Case No. 11-CV-01016-SC

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~  
 ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE**

19 WHEREAS, the above-captioned action is alleged to be a class action asserting violations  
 20 of the federal securities laws against defendants;

21 WHEREAS, a Case Management Conference is scheduled in this action for June 21, 2013  
 22 at 10:00 a.m.;

23 WHEREAS, the action is subject to the requirements of the Private Securities Litigation  
 24 Reform Act of 1995 (the "Reform Act");

25 WHEREAS, on August 8, 2011, International Brotherhood of Electrical Workers Local  
 26 697 Pension Fund was appointed lead plaintiff pursuant to the Reform Act;

27 WHEREAS, plaintiffs filed a Third Amended Complaint for Violation of the Federal  
 28 Securities Laws ("Third Amended Complaint") on January 15, 2013;

STIPULATION AND [PROPOSED] ORDER  
 CONTINUING CMC

CASE NO. 11-CV-01016-SC

FENWICK & WEST LLP  
 ATTORNEYS AT LAW  
 SAN FRANCISCO

1 WHEREAS, defendants filed a motion to dismiss the Third Amended Complaint on  
2 February 26, 2013, and that motion has been fully briefed;

3 WHEREAS, on June 4, 2013, the Court notified the parties that defendants' motion to  
4 dismiss the Third Amended Class Action Complaint would be decided on the papers without oral  
5 argument;

6 WHEREAS, the Court has not yet issued an order on defendants' motion to dismiss;

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

9 WHEREAS, in light of the foregoing, the parties believe that a Case Management  
10 Conference at this point would serve no purpose and would result in the needless expenditure of  
11 private and judicial resources, and that the Case Management Conference in this action should be  
12 continued to a date after the Court has had an opportunity to consider defendants' motion to  
13 dismiss;

14 WHEREAS, the parties have conferred with the Court and have been informed that  
15 August 23, 2013, at 10:00 a.m. is a convenient date for the Case Management Conference;

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

18 1. The Case Management Conference presently scheduled for June 21, 2013 is  
19 continued to August 23, 2013, at 10:00 a.m.

20 2. The parties will file a Joint Case Management Conference Statement seven (7)  
21 days prior to the Case Management Conference.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

