

1 ERIC S. WAXMAN (CAL. BAR NO. 106649)
 THOMAS E. HAROLDSON (CAL. BAR NO. 250136)
 2 KEVIN D. LLOYD (CAL. BAR NO. 242863)
 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 3 300 South Grand Avenue
 Los Angeles, California 90071-3144
 4 Telephone: (213) 687-5000
 Facsimile: (213) 687-5600

5 Attorneys for Defendants
 6 Tremont Partners, Inc., Tremont Group
 Holdings Inc., Robert Schulman,
 7 James V. Mitchell, Harry Hodges, and
 Darren Johnston

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

11 LAKEVIEW INVESTMENTS, LP, on
 Behalf of Itself and All Other Similarly
 12 Situated Individuals and Entities
 Located in California,

13 Plaintiffs,

14 v.

15 ROBERT SCHULMAN, JAMES V.
 16 MITCHELL, HARRY HODGES,
 DARREN JOHNSTON, STUART
 17 POLOGE, PATRICK KELLY,
 TREMONT PARTNERS, INC.,
 18 TREMONT GROUP HOLDINGS INC.,
 RYE SELECT BROAD MARKET XL
 19 FUND, L.P., RYE SELECT BROAD
 MARKET FUND, L.P f/k/a
 20 AMERICAN MASTERS BROAD
 MARKET FUND, L.P.,
 21 MASSACHUSETTS MUTUAL LIFE
 INSURANCE CO., OPPENHEIMER
 22 ACQUISITION CORP.,
 MASSMUTUAL LIFE INSURANCE
 23 CO., and DOES 1-50,

24 Defendants.

Case No. CV-11-1025-EMC

JOINT STIPULATION SETTING A
 SCHEDULE FOR PRELIMINARY
 BRIEFING AND STAYING
 DEFENDANTS' RESPONSE TO THE
 COMPLAINT AND [PROPOSED]
 ORDER

1 **STIPULATION**

2 This Stipulation is entered into by and between Plaintiff Lakeview Investment,
3 LP ("Lakeview") and Defendants Tremont Partners, Inc., Tremont Group Holdings,
4 Inc., Massachusetts Mutual Life Insurance Company, Oppenheimer Acquisition
5 Corp., Inc., Rye Select Broad Market XL Fund, L.P., Rye Select Broad Market Fund,
6 L.P f/k/a American Masters Broad Market Fund, L.P., Robert Schulman, James V.
7 Mitchell, Harry Hodges, Darren Johnston (collectively, "Defendants").

8 WHEREAS, On December 10, 2011, Plaintiff filed its Complaint in the
9 Superior Court of the State of California, County of Marin ("Superior Court"), under
10 Index No. CIV1006488 (the "State Court Action") naming six individuals and six
11 financial services firms as Defendants;

12 WHEREAS, On March 4, 2011, Defendants (with the consent of unserved
13 defendants Stuart Pologe and Patrick Kelly) removed this action to this Court on the
14 grounds that this action is precluded by the Securities Litigation Uniform Standard
15 Act of 1998 ("SLUSA"), 15 U.S.C. § 78bb et seq;

16 WHEREAS, the parties desire to resolve Plaintiff's forthcoming motion to
17 remand prior to briefing substantive issues concerning the pleadings;

18 NOW, THEREFORE, the parties, through their undersigned counsel, stipulate
19 and agree as follows, subject to the Court's approval:

20 The parties propose that the Court stay Defendants' obligation to respond to
21 the Complaint, including motions challenging the sufficiency of the complaint and
22 personal jurisdiction over the defendants in the State of California, until after the
23 Court has ruled on the motion to remand. The parties further propose that the Court
24 adopt the following schedule for preliminary briefing:

- 25 • April 11, 2011 – Plaintiff's files remand and related motion papers
- 26 • May 2, 2011 – Opposition briefs due
- 27 • May 9, 2011 – Reply briefs due

1 • Monday May 23, 2011, 9:30 a.m. (or on such date thereafter as
2 convenient to the Court) – Hearing on motions filed on the schedule set forth above

3 The signing of this Stipulation is not a waiver of personal jurisdiction defenses
4 or a submission to personal jurisdiction within the State of California. The signing
5 of this Stipulation is not intended and should not be construed as an acknowledgment
6 or admission concerning the merit of any claim or defense, or the existence of federal
7 jurisdiction in this action.

8 IT IS SO STIPULATED

9
10 DATED: March 9, 2011

11
12 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

13
14 By: Eric S. Waxman / KL
Eric S. Waxman
Attorneys for Defendants
15 Tremont Partners, Inc., Tremont Group Holdings Inc.,
16 Robert Schulman, James V. Mitchell, Harry Hodges,
and Darren Johnston

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DECHERT LLP
One Maritime Plaza
Suite 2300
San Francisco, CA 94111-3513
Telephone: (415) 262-4500
Facsimile: (415) 262-4555

By: Matthew L. Larrabee /KL
Matthew L. Larrabee (Cal. Bar No. 97147)
Attorneys for Defendant
Oppenheimer Acquisition Corp.

BINGHAM McCUTCHEN LLP
355 South Grand Avenue, Suite 4400
Los Angeles, CA 90071-3106
Telephone: (213) 680-6400
Facsimile: (213) 680-6499

By: Susan Hoffman /KL
Susan Hoffman (Cal. Bar No. 90496)
Attorneys for Defendant
Massachusetts Mutual Life Insurance Company

STEPTOE & JOHNSON LLP
2121 Avenue of the Stars, Suite 2800
Los Angeles, CA 90067-5052
Telephone: (310) 734-3200
Facsimile: (310) 734-3226

By: Kirsten Hicks Spira /KL
Kirsten Hicks Spira (Cal. Bar No. 119885)
Attorneys for Defendant
Rye Select Broad Market Prime Fund, L.P. f/k/a Rye
Select Broad Market XL Fund, L.P., Rye Select Broad
Market Fund, L.P f/k/a American Masters Broad Market
Fund, L.P.

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DATED: March 9, 2011

S. BENJAMIN ROZWOOD
503 North Linden Drive
Beverly Hills, CA 90210
Telephone: (310) 246-1451

By: Benjamin Rozwood
S. Benjamin Rozwood (Cal. Bar No. 181474)
Attorney for Plaintiff

1 **[PROPOSED] ORDER**

2 The Court, having considered the above stipulation, and good cause appearing
3 therefor, HEREBY ORDERS as follows:

4 1. Defendants' obligation to answer the complaint, including filing motions
5 challenging the sufficiency of the complaint and personal jurisdiction over the
6 defendants in the State of California, shall be stayed until after the Court rules on
7 Plaintiff's motion to remand.

8 2. The briefing and hearing schedule for Plaintiff's motion to remand shall
9 be as follows:

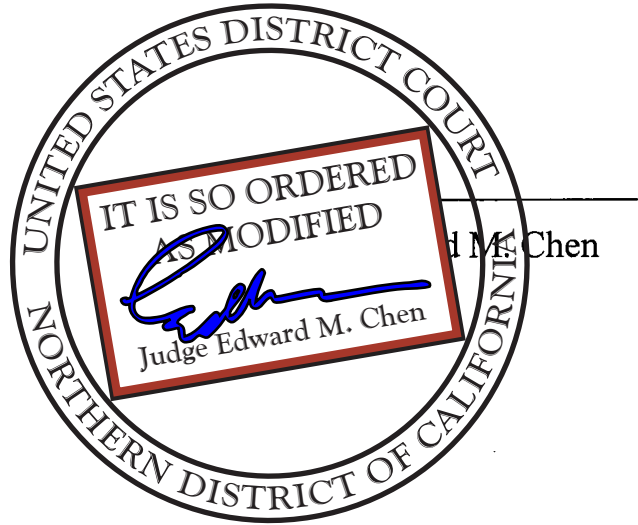
10 The Court adopts the following schedule for preliminary briefing:

- 11 • April 11, 2011 – Plaintiff's files remand and related motion papers
- 12 • May 2, 2011 – Opposition briefs due
- 13 • May 9, 2011 – Reply briefs due
Wednesday May 25, 2011 3:00 p.m.
- 14 • ~~Monday May 23, 2011, 9:30 a.m.~~ (or on such date thereafter as

15 convenient to the Court) – Hearing on motions filed on the schedule set forth above

16
17 IT IS SO ORDERED.

18
19 DATED: 3/10, 2011



1 PROOF OF SERVICE
2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles, State of California. I am over
4 the age of 18 and not a party to the within action; my business address is 300 South
5 Grand Avenue, Suite 3400, Los Angeles, California 90071

6 On March 9, 2011, I served the foregoing documents described as:

7 1) JOINT STIPULATION SETTING A SCHEDULE FOR PRELIMINARY
8 BRIEFING AND STAYING DEFENDANTS' RESPONSE TO THE COMPLAINT
9 AND [PROPOSED] ORDER

10 on the interested parties in this action by placing a true copy thereon enclosed in
11 sealed envelopes addressed as follows:

12 SEE ATTACHED LIST

13 (E-SERVICE) (to registered parties)

14 (BY FEDERAL EXPRESS – AS NOTED)

15 (BY US MAIL – AS NOTED) I am readily familiar with the firms' practice
16 for the collection and processing of correspondence for mailing with the United
17 States Postal Service and the fact that the correspondence would be deposited with
18 the United States Postal Service that same day in the ordinary course of business; on
19 this date, the above-referenced correspondence was placed for deposit at Los
20 Angeles, California and placed for collection and mailing following ordinary
21 business practices.

22 I declare that I am employed in the office of a member of the bar of this Court
23 at whose direction the service was made.

24 Executed on March 9, 2011 at Los Angeles, California.

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Service List

<p>S. Benjamin Rozwod 503 N. Linden Drive Beverly Hills, CA 90210 Telephone: (310) 246-1451</p> <p>Attorney for Plaintiff Lakeview Investments, LP</p> <p>[By FedEx and Mail]</p>	<p>Brian J. Robbins, Esq. Robbins Umeda LLP 600 B Street, Suite 1900 San Diego, CA 92101 Telephone: (619) 525-3990 Facsimile: (619) 525-3991 email: brobbins@robbinsumeda.com</p> <p>Attorney for Plaintiff Lakeview Investments, LP</p> <p>[By E-Service]</p>
<p>Susan L. Hoffman, Esq. Karen Pazzani, Esq. Bingham McCutchen LLP 355 S. Grand Ave., Suite 4400 Los Angeles, CA 90071 Telephone: (213) 680-6400 Facsimile: (213) 680-6499 email: susan.hoffman@bingham.com</p> <p>Attorneys for Defendants Massachusetts Mutual Life Insurance Co. and MassMutual Holding Co.</p> <p>[By E-Service]</p>	<p>Kirsten Hicks Spira STEPTOE & JOHNSON LLP 2121 Avenue of the Stars, Suite 2800 Los Angeles, CA 90067-5052 Telephone: (310) 734-3200 Facsimile: (310) 734-3226</p> <p>Attorneys for Defendant Rye Select Broad Market Prime Fund, L.P. f/k/a Rye Select Broad Market XL Fund, L.P., Rye Select Broad Market Fund, L.P f/k/a American Masters Broad Market Fund, L.P.</p> <p>[By Mail]</p>
<p>Matthew L. Larrabee, Esq. Dechert LLP One Maritime Plaza, Suite 2300 San Francisco, CA 94111-3513 Telephone: (415) 262-4500 Facsimile: (415) 262-4555 email: matthew.larrabee@dechert.com</p> <p>[By Mail]</p>	