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11 Attorneys for Defendants
 OCLARO, INC., ALAIN COUDER,
 12 JERRY TURIN, and JAMES HAYNES

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**

15 CURTIS and CHARLOTTE WESTLEY,
 16 individually and on behalf of others similarly
 situated,
 17
 Plaintiffs,
 18
 v.
 19
 OCLARO, INC., et al.,
 20
 Defendants.
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Case No. C11-2448 EMC
 and related consolidated action

22 IN RE OCLARO, INC. DERIVATIVE
 LITIGATION,
 23

Lead Case No. C11-3176 EMC
 (Derivative Action)

24 This Document Relates to:
 25 No. C11-2448 EMC
 26

**STIPULATION AND [PROPOSED]
 ORDER EXTENDING DEADLINE TO
 FILE OPPOSITION TO LEAD
 PLAINTIFFS' MOTION FOR LEAVE
 TO FILE MOTION FOR
 RECONSIDERATION**

1 WHEREAS, on September 21, 2012, the Court issued an order Granting Defendants' Motion
2 to Dismiss Second Amended Complaint ("September 21 Order") (Dkt. 79);

3 WHEREAS, on October 4, 2012, lead plaintiff's filed a Motion for Leave to File Motion for
4 Reconsideration of September 21, 2012 Order Granting Defendants' Motion to Dismiss Second
5 Amended Complaint ("Motion for Leave") pursuant to Civ. L.R. 7- 9 (Dkt. 81);

6 WHEREAS, on October 9, 2012 the Court issued a Clerk's Notice setting a date for hearing
7 on the Motion for Leave for November 9, 2012 at 1:30 pm. (Dkt. 83);

8 WHEREAS, thereafter the Court instructed defendants to file an opposition to lead plaintiff's
9 Motion for Leave and lead plaintiff to file a reply in support of the Motion for Leave; and

10 WHEREAS, the parties have agreed to enter into a stipulation, subject to the approval of the
11 Court, (1) rescheduling the hearing on the Motion for Leave to December 11, 2012 at 1:30 p.m., (2)
12 setting a deadline of October 30, 2012 for defendants to file an opposition to lead plaintiff's Motion
13 for Leave, and (3) setting a deadline of November 16, 2012 for lead plaintiff to file a reply in support
14 of the Motion for Leave.

15 IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

- 16 1. The hearing on lead plaintiff's Motion for Leave is scheduled for December 11, 2012 at
- 17 1:30 p.m.
- 18 2. Defendants' opposition to lead plaintiff's Motion for Leave is due on October 30, 2012.
- 19 3. Lead plaintiff's reply in support of the Motion for Leave is due on November 16, 2012.

20 DATED: October 23, 2012

21 **ROBBINS GELLER RUDMAN &**
DOWD LLP

ALSTON & BIRD LLP

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23 By: /s/ SHAWN A. WILLIAMS
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Counsel for Plaintiffs

Counsel for Defendants Oclaro, Inc., Alain Couder, Jerry Turin

SIGNATURE ATTESTATION

I am the ECF User whose identification and password are being used to file the foregoing Stipulation and [Proposed] Order Rescheduling Case Management Conference. Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Tina Mehr, attest that concurrence in the filing of this document has been obtained.

DATED: OCTOBER 23, 2012

/S/ TINA MEHR
TINA MEHR (CAL. STATE BAR NO. 275659)

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: Octboer 24, 2012

