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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12	IN RE OCZ TECHNOLOGY GROUP,	)	Lead Case No. C-12-05556-RS
	INC. SHAREHOLDER DERIVATIVE	)	
13	LITIGATION	)	(Consolidated with Case Nos. C-12-06058-
	_____	)	RS, C-12-06343-RS)
14		)	
	This Document Relates To:	)	STIPULATION AND <del>PROPOSED</del>
15		)	ORDER REGARDING PLAINTIFFS'
	ALL ACTIONS	)	CONSOLIDATED COMPLAINT AND
16		)	BRIEFING SCHEDULE
17	_____	)	

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 STIPULATION AND ~~PROPOSED~~ ORDER REGARDING PLAINTIFFS' CONSOLIDATED COMPLAINT  
 AND BRIEFING SCHEDULE  
 CASE NO. C-12-05556-RS

1           WHEREAS, on January 23, 2013, the parties to this consolidated action submitted a  
2 stipulation to the Court which provided, among other things, that: (i) the then-scheduled Case  
3 Management Conference ("CMC") be vacated and reset to occur on the same date as the hearing  
4 on Defendants' anticipated motion to dismiss; (ii) Plaintiffs will file their consolidated complaint  
5 ("Consolidated Complaint") within 21 days after nominal defendant OCZ Technology Group,  
6 Inc. ("OCZ" or the "Company") files its financial statements for the first quarter of fiscal 2013  
7 with the U.S. Securities and Exchange Commission; and (iii) Defendants will respond to the  
8 Consolidated Complaint within forty-five days after service;

9           WHEREAS, the Court approved the parties' stipulation and entered an order that same  
10 day; and

11           WHEREAS, the parties have conferred and agree that it is in the best interests of the  
12 Company to not delay the filing of Plaintiffs' Consolidated Complaint.

13           NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to Court  
14 approval, by Plaintiffs and Defendants, through their respective counsel of record, as follows:

15           1.       Plaintiffs shall file their Consolidated Complaint on or before February 13, 2013,  
16 unless otherwise agreed upon by the parties or ordered by the Court.

17           2.       Defendants shall respond to the Consolidated Complaint within forty-five days  
18 after service, unless otherwise agreed by the parties or ordered by the Court. In the event that  
19 defendants file any motions directed at the Consolidated Complaint, the opposition and reply  
20 briefs shall be filed within forty-five and twenty-one days, respectively, of the motions, unless  
21 otherwise agreed upon by the parties or ordered by the Court. The parties agree to confer to  
22 select a hearing date for any such motions.

23           3.       The initial CMC for this consolidated action will be scheduled to occur on the  
24 same date as the hearing on Defendants' anticipated motion to dismiss, and the parties will  
25 submit a Joint Case Management Statement at least one week prior to the initial CMC.

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1 Dated: February 1, 2013

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s/ George C. Aguilar  
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22 Dated: February 1, 2013

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*Counsel for Defendants Ralph H. Schmitt, Adam J. Epstein, Richard L. Hunter, Russell J. Knittel, and Nominal Defendant OCZ Technology Group, Inc.*

Dated: February 1, 2013

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*Counsel for Defendant Arthur F. Knapp, Jr.*

I, George C. Aguilar, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Plaintiffs' Consolidated Complaint and Briefing Schedule. In compliance with General Order No. 45, X.B., I hereby attest that Diane Walters and Norman J. Blears have concurred in this filing.

s/ George C. Aguilar  
GEORGE C. AGUILAR

\* \* \*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

2/1/13  
DATED

  
HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

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