

1 SOLOMON B. CERA (State Bar No. 99467)
 THOMAS C. BRIGHT (State Bar No. 169713)
 2 GOLD BENNETT CERA & SIDENER LLP
 595 Market Street, Suite 2300
 3 San Francisco, California 94105
 Telephone: (415) 777-2230
 4 Fax: (415) 777-5189
 Email: sbc@gbcslaw.com
 5 Email: tbright@gbcslaw.com

6 *Liaison Counsel for Lead Plaintiff the Boilermaker-Blacksmith
 National Pension Trust*

7 [Additional counsel listed on signature page]
 8
 9
 10
 11

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 DENIS MULLIGAN, Individually and on
 Behalf of All Others Similarly Situated,

15
 16 Plaintiff,

17 v.

18 IMPAX LABORATORIES, INC., LARRY
 HSU, and ARTHUR A. KOCH,

19 Defendants.
 20

Case No. 3:13-cv-01037-EMC

**STIPULATION AND [PROPOSED]
 ORDER REGARDING SCHEDULING**

(Caption continued on next page)
 21
 22
 23
 24
 25
 26
 27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

HAVERHILL RETIREMENT SYSTEM,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

IMPAX LABORATORIES, INC., LARRY
HSU, and ARTHUR A. KOCH,

Defendants.

Case No. 3:13-CV-01566-EMC

STIPULATED REQUEST AND [PROPOSED] ORDER

Lead Plaintiff Boilermaker Blacksmith National Pension Trust, by and through its respective counsel (“Lead Plaintiff”), and Defendants Impax Laboratories, Inc., Larry Hsu, and Arthur A. Koch, by and through their respective counsel, (collectively, “Defendants”) hereby stipulate to the following:

WHEREAS, on July 2, 2013, the Court consolidated the *Mulligan* and *Haverhill* matters and appointed Boilermaker Blacksmith National Pension Trust as Lead Plaintiff (Dkt. #53);

WHEREAS, on September 18, 2013, Lead Plaintiff and Defendants stipulated to continue, and the Court reset, the Initial Case Management Conferences until after Defendants’ Motion to Dismiss has been adjudicated (Dkt. #64, #65);

WHEREAS, on February 12, 2014, the Court continued the Motion to Dismiss Hearing and Initial Case Management Conference for March 6, 2014 (Dkt. #76);

WHEREAS, counsel for Defendants had a scheduling conflict on March 6, 2014 so counsel for Lead Plaintiff and counsel for Defendants filed a Stipulation and Proposed Order and the Court rescheduled the Motion to Dismiss Hearing for March 13, 2014 (Dkt. #79);

WHEREAS, on March 13, 2014, after the Court’s hearing on Defendants’ Motion to Dismiss, the Court set a case management conference for April 15, 2014 (Dkt. #83);

WHEREAS, counsel for Defendants had a previous engagement outside the State of California on April 15, 2014, and so counsel for Lead Plaintiff and counsel for Defendants filed a Stipulation and Proposed Order requesting continuance of the Initial Case Management Conference (Dkt. #84) and the Court reset the hearing for April 24, 2014 (Dkt. #87);

WHEREAS, due to a serious illness of an immediate family member of Lead Counsel, Lead Plaintiff has requested and Defendants’ counsel has agreed to a continuance of the Case Management Conference to May 29 , 2014;

WHEREAS, this Stipulation and Order is without prejudice to, or waiver of, any rights, arguments, or defenses otherwise available to the parties to this action; and

WHEREAS, a short continuance of the Initial Case Management Conference will not unduly delay the proceedings in this manner;

WHEREAS, Defendants' answer to Lead Plaintiff's Consolidated Class Action Complaint for Violations of the Federal Securities Laws is currently due on May 2, 2014;

WHEREAS, Defendants requested and Lead Plaintiff agreed to extend the deadline for Defendants' answer to May 22, 2014;

WHEREAS, a short extension of the deadline for Defendants' answer will not unduly delay the proceedings in this manner;

WHEREAS, Lead Plaintiff and Defendants filed a Joint Case Management Statement on April 17, 2014 and have agreed to file a Revised Joint Management Statement on May 22, 2014;

WHEREAS, Lead Plaintiff and Defendants have agreed to exchange initial disclosures by May 22, 2014;

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

1. Defendants' answer is due on May 22, 2014;
2. Lead Plaintiff and Defendants' Joint Revised Case Management Statement is due on May 22, 2014;
3. Lead Plaintiff and Defendants shall exchange initial disclosures pursuant to Federal Rule of Civil Procedure 26(a) on or before May 22, 2014; and
4. The Initial Case Management Conference, currently scheduled for April 24, 2014 is continued to May 29, 2014, at 9:00 a.m.

DATED: April 22, 2014

GOLD BENNETT CERA & SIDENER LLP LATHAM & WATKINS LLP

By: /s/ Solomon B. Cera
Solomon B. Cera

By: /s/ Peter A. Wald
Peter A. Wald

Liaison Counsel for Lead Plaintiff the

Peter A. Wald (Bar No. 85705)

Boilermaker Blacksmith National Pension Trust

**COHEN MILSTEIN SELLERS
& TOLL PLLC**

Steven J. Toll (admitted *pro hac vice*)
Daniel S. Sommers (admitted *pro hac vice*)
Joshua M. Kolsky (admitted *pro hac vice*)
1100 New York Avenue, N.W.
West Tower, Suite 500
Washington, D.C. 20005
Telephone: (202) 408-4600
Fax: (202) 408-4699

Christopher Lometti (*admitted pro hac vice*)
88 Pine Street, 14th Floor
New York, New York 10005
Telephone: (212) 838-7797
Facsimile: (212) 838-7745

*Counsel for Lead Plaintiff the Boilermaker
Blacksmith National Pension Trust*

Marcy C. Priedeman (Bar No. 258505)
505 Montgomery St., Suite 2000
San Francisco, California 94111
Telephone: (415) 391-0600
Facsimile: (415) 395-8095
peter.wald@lw.com
marcy.priedeman@lw.com

and

Patrick E. Gibbs (Bar No. 183174)
140 Scott Drive
Menlo Park, California 94025-1008
Telephone: (650) 328-4600
Facsimile: (650) 463-2600
patrick.gibbs@lw.com

*Counsel for Defendants Impax Laboratories,
Inc., Larry Hsu, and Arthur A. Koch,*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 4/22/14



SIGNATURE ATTESTATION

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

DATED: April 22, 2014

/s/ Solomon B. Cera
Solomon B. Cera