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9 Attorneys for Defendants
 Polycom, Inc., Michael R. Kourey,
 10 and Eric F. Brown

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

15 MARK NATHANSON, Individually and On)
 Behalf of All Others Similarly Situated,)
 16 Plaintiff,)
 17 v.)
 18 POLYCOM, INC., ANDREW M. MILLER,)
 19 MICHAEL R. KOUREY, and ERIC F. BROWN,)
 20 Defendants.)
 21)
 22)
 23)
 24)

CASE NO.: 3:13-cv-03476-SC
CLASS ACTION
STIPULATION AND [~~PROPOSED~~]
SCHEDULING ORDER

1 Pursuant to N.D. Cal. Civil Local Rules 6-1, 6-2, and 7-12, the parties respectfully submit
2 the following Stipulation and [Proposed] Scheduling Order regarding a briefing schedule for
3 defendants Polycom, Inc., Michael R. Kourey, Eric F. Brown, and Andrew M. Miller's
4 (collectively, "Defendants") response(s) to the Second Amended Complaint for Violations of the
5 Federal Securities Laws (ECF No. 79) (the "Second Amended Complaint").

6 **WHEREAS**, on February 24, 2014, Mark Nathanson ("Lead Plaintiff") filed the First
7 Amended Complaint for Violation of the Federal Securities Laws (the "First Amended
8 Complaint") (ECF No. 47);

9 **WHEREAS**, Defendants moved to dismiss the First Amended Complaint on April 25,
10 2014 (ECF Nos. 51, 53);

11 **WHEREAS**, on April 3, 2015, the Court granted in part, and denied in part, Defendants'
12 motions to dismiss (ECF No. 72), providing Lead Plaintiff thirty days leave, until May 4, 2015,
13 to amend his complaint;

14 **WHEREAS**, on May 4, 2015, Lead Plaintiff filed the Second Amended Complaint;

15 **WHEREAS**, Defendants will move to dismiss the Second Amended Complaint;

16 **WHEREAS**, the parties have agreed, subject to the Court's approval, upon a briefing
17 schedule for Defendants' motion(s) to dismiss the Second Amended Complaint.

18 **NOW, THEREFORE**, subject to the Court's approval, the parties hereby stipulate and
19 agree as follows:

20 (1) Defendants shall file their motion(s) to dismiss the Second Amended Complaint by
21 no later than June 18, 2015;

22 (2) Lead Plaintiff shall file his opposition brief(s) to Defendants' motion(s) to dismiss
23 by no later than August 3, 2015;

24 (3) Defendants shall file their reply brief(s) in support of their motion(s) to dismiss by
25 no later than August 31, 2015.

26 **IT IS SO STIPULATED.**

1 Dated: May 5, 2015

Respectfully submitted,

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WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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By: /s/ Keith E. Eggleton
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Attorneys for Defendants
Polycom, Inc., Eric Brown, and Michael
Kourey

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8 Dated: May 5, 2015

By: /s/ Philip T. Besirof
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Attorneys for Defendant Andrew M. Miller

15 Dated: May 5, 2015

By: /s/ Emma Gilmore
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Attorneys for Lead Plaintiff Mark Nathanson

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26 *I, Keith E. Eggleton, am the ECF user whose ID and password are being used to file this*
27 *Stipulation and [Proposed] Scheduling Order. In compliance with Civil Local Rule 5-1, I hereby*
28 *attest that Philip T. Besirof and Emma Gilmore have concurred in this filing.*

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DECLARATION OF KEITH E. EGGLETON

I, Keith E. Eggleton, declare:

1. I am a member of Wilson Sonsini Goodrich & Rosati, P.C., counsel for defendants Polycom, Inc., Michael R. Kourey, and Eric F. Brown. I make this declaration in support of the parties' Stipulation and [Proposed] Scheduling Order. The parties seek to adjust the default time frames set forth in the Local Rules and the Federal Rules with regard to responding to Lead Plaintiff's Second Amended Complaint to an appropriate schedule.

2. This is the parties' eighth request for a modification of time, and first with respect to the Second Amended Complaint. The parties previously filed stipulations to extend the time to respond to (previously operative) complaints on September 23, 2013 (ECF No. 17), and December 30, 2013 (ECF No. 45). Both of these stipulations were approved by the Court (*see* ECF Nos. 18, 46). Additionally, the parties have filed six stipulated requests to continue the Initial Case Management Conference; these were filed on September 23, 2013 (ECF No. 17), December 9, 2013 (ECF No. 36), April 4, 2014 (ECF No. 49), November 21, 2014 (ECF No. 64), January 2, 2015 (ECF No. 66), and February 6, 2015 (ECF No. 69). The Court granted these six previous requests (*see* ECF Nos. 18, 39, 50, 65, 67, 68, 70).

3. The proposed briefing schedule will not impact any other deadlines or dates set by the Court.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 5, 2015 in Palo Alto, California.

By: /s/ Keith E. Eggleton
Keith E. Eggleton

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 5/5/15


THE HONORABLE SAMUEL CONTI
United States District Judge