

1 COOLEY LLP  
 TOWER C. SNOW, JR. (58342) (tsnow@cooley.com)  
 2 101 California Street, 5th Floor  
 San Francisco, CA 94111-5800  
 3 Telephone: (415) 693-2000  
 Facsimile: (415) 693-2222

4 COOLEY LLP  
 5 JESSICA VALENZUELA SANTAMARIA (220934) (jsantamaria@cooley.com)  
 ADAM C. TRIGG (261498) (atrigg@cooley.com)  
 6 Five Palo Alto Square  
 3000 El Camino Real  
 7 Palo Alto, CA 94306-2155  
 Telephone: (650) 843-5000  
 8 Facsimile: (650) 849-7400

9 COOLEY LLP  
 JOSEPH B. WOODRING (272940) (jwoodring@cooley.com)  
 10 1333 2<sup>nd</sup> Street, Suite 400  
 Santa Monica, CA 90401  
 11 Telephone: (310) 883-6400  
 Facsimile: (310) 883-6500

12 Attorneys for Defendants  
 13 H. RAVI BRAR and SUSIE HERRMANN

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION

17 In re ECOtality, Inc. Securities Litigation

Case No. 3:13-CV-03791-SC  
 (Consolidated with Case Nos.  
 13-cv-03840 and 13-cv-45679)

18  
 19 \_\_\_\_\_  
 20 This Document Relates To:

21 ALL ACTIONS.

**STIPULATION AND [~~PROPOSED~~] ORDER  
 CONTINUING CASE MANAGEMENT  
 CONFERENCE AND ADR DEADLINES**

Date: January 24, 2014  
 Time: 10:00 a.m.  
 Judge: Hon. Samuel Conti

1 **STIPULATION**

2 WHEREAS, on August 15, 2013, Hua-Chen Lin and Jonathan W. Diamond filed a  
3 complaint for violations of the federal securities laws against Ecotality, H. Ravi Brar and Susie  
4 Herrmann (the “*Lin*” action [No. 13-CV-03791]);

5 WHEREAS, on August 19, 2013, Eric M. Cohen filed a substantially similar complaint  
6 against Ecotality, H. Ravi Brar and Susie Herrmann (the “*Cohen*” action [No. 13-cv-03840]) and,  
7 on October 3, 2013, Francis X. Fleming, Jr. filed a substantially similar complaint against H. Ravi  
8 Brar and Susie Herrmann (the “*Fleming*” action [No. 13-cv-45679]);

9 WHEREAS, on October 15, 2013, six competing movants, including Joseph W. Vale  
10 (“*Vale*”), filed motions to consolidate the *Lin*, *Cohen* and *Fleming* actions, to appoint the movants  
11 as lead plaintiff, and to approve the movants’ selection of lead counsel;

12 WHEREAS, on December 13, 2013, the Court issued an order consolidating the *Lin*,  
13 *Cohen* and *Fleming* actions, appointing Vale as Lead Plaintiff and approving Vale’s selection of  
14 Robbins Geller Rudman & Dowd LLP as lead counsel (Dkt. No. 47);

15 WHEREAS, on December 17, 2013, the Court entered an Order (Dkt. No. 49) setting the  
16 schedule for Lead Plaintiff’s filing of a consolidated amended complaint and Defendants’  
17 response thereto (the “Scheduling Order”);

18 WHEREAS, under the Scheduling Order, Lead Plaintiff shall file a consolidated amended  
19 complaint no later than January 31, 2014;

20 WHEREAS, the Scheduling Order scheduled a hearing on Defendants’ motion to dismiss  
21 the complaint for June 20, 2014;

22 WHEREAS, this matter is a class action under the federal securities laws and is subject to  
23 a stay of discovery under the Private Securities Litigation Reform Act of 1995. 15 U.S.C. §78u-  
24 4(b)(3)(B);

25 WHEREAS, on January 3, 2014, the Court issued a Notice re: Noncompliance with Court  
26 Order in the *Cohen* action (Dkt. No. 24), which noted that the parties have not filed an ADR  
27 Certification Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for  
28 ADR Phone Conference;

1 WHEREAS, a Case Management Conference is currently set for January 24, 2014;

2 WHEREAS, the parties agree that any case management conference in this matter would  
3 be premature and would not benefit the Court or the parties both because discovery is stayed and  
4 because lead plaintiff will not file a consolidated complaint until on or before January 31, 2014;

5 WHEREAS, the parties further agree that, for the same reasons, the selection of an ADR  
6 process under Civil Local Rule 16-8 and ADR Local Rule 3-5 would be premature and would not  
7 benefit the Court or the parties;

8 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the parties,  
9 through their respective counsel, as follows:

10 1. The January 24, 2014 Case Management Conference shall be taken off calendar, to  
11 be rescheduled to July 25, 2014.

12 2. The deadline for the filing of the ADR Certification and the Stipulation to ADR  
13 Process or Notice of Need for ADR Phone Conference shall be extended to 21 days before the  
14 continued Case Management Conference, if any.

15 **IT IS SO STIPULATED.**

16 **Respectfully Submitted,**

17 Dated: January 6, 2014

COOLEY LLP  
TOWER C. SNOW, JR. (58342)  
JESSICA VALENZUELA SANTAMARIA (220934)  
ADAM C. TRIGG (261498)  
JOSEPH B. WOODRING (272940)

21 */s/ Jessica Valenzuela Santamaria*  
22 \_\_\_\_\_  
Jessica Valenzuela Santamaria (220934)

23 Attorneys for Defendants  
24 H. RAVI BRAR and SUSIE HERRMANN

1 Dated: January 6, 2014

ROBBINS GELLAR RUDMAN & DOWD LLP  
CHRISTOPHER P. SEEFER (201197)  
KENNETH J. BLACK (291871)

2

3

4

*/s/ Christopher P. Seefer*

\_\_\_\_\_  
Christopher P. Seefer (201197)

5

6

Post Montgomery Center  
One Montgomery Street, Suite 1800  
San Francisco, CA 94104

7

Telephone: (415) 288-4545

8

Facsimile: (415) 288-4534

Email: chriss@rgrdlaw.com

9

Lead Counsel for Plaintiff

10

ZELDES HAEGGQUIST & ECK, LLP

11

AMBER L. ECK (177882)

625 Broadway, Suite 1000

12

San Diego, CA 92101

Telephone: (619) 342-8000

13

Facsimile: (619) 342-7878

14

Additional Counsel for Plaintiff

15

16

**ATTESTATION OF CONCURRENCE IN FILING**

17

Pursuant to the General Order No. 45, section 45 X(B), for The United States District

18

Court for the Northern District of California, I, Jessica Valenzuela Santamaria, hereby attest that

19

the concurrence to the filing of the foregoing document has been obtained from Christopher P.

20

Seefer, who has provided the conformed signature above.

21

Dated: January 6, 2014

22

COOLEY LLP

TOWER C. SNOW, JR. (58342)

JESSICA VALENZUELA SANTAMARIA (220934)

23

ADAM C. TRIGG (261498)

JOSEPH B. WOODRING (272940)

24

25

*/s/ Jessica Valenzuela Santamaria*

\_\_\_\_\_  
Jessica Valenzuela Santamaria (220934)

26

27

Attorneys for Defendants

H. RAVI BRAR and SUSIE HERRMANN

28

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

**ORDER**

Pursuant to the stipulation of the parties, the January 24, 2014 Case Management Conference is taken off calendar and is hereby rescheduled to ~~July 25, 2014~~ August 8, 2014. No Case Management Statement is currently due.

Further, the deadline under Civil Local Rule 16-8 and ADR Local Rule 3-5 for the filing of the ADR Certification and the Stipulation to ADR Process or Notice of Need for ADR Phone Conference is hereby extended to 21 days before the continued Case Management Conference, if any.

IT IS SO ORDERED.

DATED: 01/07/2014

