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

18 In re ECOtality, Inc. Securities Litigation

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

19
 20 This Document Relates To:

21 ALL ACTIONS.

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

Date: September 19, 2014
 Time: 10:00 a.m.
 Judge: Hon. Samuel Conti

IT IS SO ORDERED AS MODIFIED

1 **STIPULATION**

2 WHEREAS, on January 31, 2014, Plaintiffs in the above captioned action filed a
3 Consolidated Amended Complaint (“CAC”) (Dkt. No. 52)¹;

4 WHEREAS, pursuant to a stipulated briefing schedule, Defendants filed a Motion to
5 Dismiss (Dkt. No. 60), which was set for hearing on August 22, 2014;

6 WHEREAS, on June 16, 2014, Plaintiffs filed an Opposition to the Motion to Dismiss
7 (Dkt. No. 61) and, on July 21, 2014, Defendants filed a Reply (Dkt. No. 65);

8 WHEREAS, on August 20, 2014, the Court vacated the hearing on Defendants’ Motion to
9 Dismiss and stated that the Motion will be decided on the papers without oral argument (Dkt. No.
10 67);

11 WHEREAS, this matter is a class action under the federal securities laws and is subject to
12 a stay of discovery under the Private Securities Litigation Reform Act of 1995. 15 U.S.C. §78u-
13 4(b)(3)(B);

14 WHEREAS, a Case Management Conference is currently set for September 19, 2014;

15 WHEREAS, the parties agree that any case management conference in this matter would
16 be premature and would not benefit the Court or the parties both because discovery is stayed and
17 because Defendants’ Motion to Dismiss is currently pending;

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

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

23
24 _____
25 ¹ On October 15, 2013, six competing movants, including Joseph W. Vale (“Vale”), filed motions
26 to consolidate three substantially similar actions (*Lin et al. v. ECOTALITY, Inc. et al.* [No. 13-CV-
27 03791], *Cohen v. ECOTALITY, Inc. et al.* [No. 13-cv-03840], and *Fleming v. Brar et al.* [No. 13-cv-
28 45679]), to appoint the movants as lead plaintiff, and to approve the movants’ selection of lead
counsel. On December 13, 2013, the Court issued an order consolidating the three actions,
appointing Joseph Vale as Lead Plaintiff, and approving Vale’s selection of Robbins Geller
Rudman & Dowd LLP as lead counsel. (Dkt. No. 47.)

1 Dated: August 27, 2014

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

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/s/ Christopher P. Seefer

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Additional Counsel for Plaintiff

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ATTESTATION OF CONCURRENCE IN FILING

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Pursuant to the General Order No. 45, section 45 X(B), for The United States District Court for the Northern District of California, I, Jessica Valenzuela Santamaria, hereby attest that the concurrence to the filing of the foregoing document has been obtained from Christopher P. Seefer, who has provided the conformed signature above.

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Dated: August 28, 2014

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/s/ Jessica Valenzuela Santamaria

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ORDER

Pursuant to the stipulation of the parties, the September 19, 2014 Case Management Conference is ~~taken off calendar and will be rescheduled after the Court issues an Order on~~ continued to Friday, December 12, 2014, at 10:00 AM. A joint case management statement shall be due no later than December 5, 2014. ~~Defendants' pending Motion to Dismiss. 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: 09/03/2014

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