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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**KEITH THOMAS, RICHARD HAYES, HERB
SMITH, and OKLAHOMA POLICE PENSION &
RETIREMENT SYSTEM,

Plaintiffs,

v.

MAGNACHIP SEMICONDUCTOR CORP. SANG
PARK, TAE YOUNG HWANG, MARGARET
SAKAI, R. DOUGLAS NORBY, ILBOK LEE,
NADER TAVAKOLI, RANDAL KLEIN,
MICHAEL ELKINS, AVENUE CAPITAL
MANAGEMENT II, L.P., BARCLAYS CAPITAL
INC., DEUTSCHE BANK SECURITIES INC.,
CITIGROUP GLOBAL MARKETS INC., UBS
SECURITIES LLC and NEEDHAM & COMPANY,
LLC,

Defendants.

CASE NO.: 3:14-cv-01160-JST

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING DEFENDANT
AVENUE CAPITAL
MANAGEMENT II, L.P.'S TIME TO
ANSWER THIRD AMENDED
COMPLAINT**

WHEREAS, on March 4, 2016, this Court granted in part and denied in part Defendant Avenue Capital Management II, L.P. ("Avenue")'s motion to dismiss the Third Amended Complaint ("TAC") filed by Plaintiffs (ECF No. 194);

WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Avenue's deadline for filing its Answer to the TAC is March 21, 2016;

STIPULATION AND ~~PROPOSED~~ ORDER EXTENDING DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO
ANSWER THIRD AMENDED COMPLAINT

1 **WHEREAS**, Avenue Capital has requested and Plaintiffs have agreed to extend,
2 by 30 days, the time within which Avenue Capital's Answer is due;

3 **WHEREAS**, such an extension of time will not alter the date of any event or any
4 deadline already fixed by Court order;

5 **WHEREAS**, time modifications have previously been granted on five prior
6 occasions in this action (ECF Nos. 18, 31, 47, 68, and 85), the first two occurring before Avenue
7 was a party to the action;

8 **WHEREAS**, this is the first time modification requested by any party since the
9 Court's order granting in part and denying in part Avenue's motion to dismiss the TAC.

10 **IT IS THEREFORE STIPULATED THAT:**

11 Avenue's deadline for filing its Answer to the TAC is hereby continued by 30
12 days to April 20, 2016.

13 Dated: March 18, 2016

14
15 POMERANTZ LLP

AKIN GUMP STRAUSS HAUER & FELD
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23 **CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES**

24 I, John C. Murphy, am the ECF User whose ID and password are being used to file this
25 STIPULATION TO EXTEND DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S
26 TIME TO ANSWER THIRD AMENDED COMPLAINT PURSUANT TO LOCAL RULE 6-
27 1(A). In compliance with Civil L.R. 5-1(i)(3), I hereby attest that the other signatory has
28 concurred in this filing.

/s/ John C. Murphy
John C. Murphy

STIPULATION AND ~~PROPOSED~~ ORDER EXTENDING DEFENDANT AVENUE CAPITAL MANAGEMENT II, L.P.'S TIME TO
ANSWER THIRD AMENDED COMPLAINT

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IT IS SO ORDERED.

Dated: March 18, 2016

