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 8 *Shirley Ann Jackson; Steven R. Loranger; Gary*
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Paul S. Walsh

10 [Additional counsel listed on signature page]
 11

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

15 CHRISTOPHER LIBERTY, derivatively on
 16 behalf of FEDEX CORPORATION,

17 Plaintiff,

18 vs.

19 FREDERICK W. SMITH;
 JAMES L. BARKSDALE;
 JOHN A. EDWARDSON;
 20 SHIRLEY ANN JACKSON;
 STEVEN R. LORANGER;
 21 GARY W. LOVEMAN;
 R. BRAD MARTIN;
 22 JOSHUA COOPER RAMO;
 SUSAN C. SCHWAB;
 23 DAVID P. STEINER; and
 PAUL S. WALSH,

24 Defendants,

25 -and-

26 FEDEX CORPORATION,

27 Nominal Defendant.
 28

Case No. 3:14-cv-03810-CRB

**STIPULATED REQUEST AND ORDER
 TO SET A BRIEFING SCHEDULE AND
 PAGE LIMITS FOR THE MOTION TO
 DISMISS BRIEFING PAPERS**

1 Pursuant to Civil Local Rules 6-2, Plaintiff Christopher Liberty (“Plaintiff”) and Defendants
2 Frederick W. Smith, James L. Barksdale, John A. Edwardson, Shirley Ann Jackson, Steven R.
3 Loranger, Gary W. Loveman, R. Brad Martin, Joshua Cooper Ramo, Susan C. Schwab, David P.
4 Steiner, Paul S. Walsh (the “Individual Defendants”), and Nominal Defendant FedEx Corporation
5 (together with Plaintiff and the Individual Defendants, the “Parties”) by and through their
6 undersigned counsel, respectfully stipulate and agree, subject to Court approval, to set a briefing
7 schedule and page limits for Defendants’ motion to dismiss Plaintiff’s Shareholder Derivative
8 Complaint (“Complaint”). In support of this stipulation, the Parties state as follows:

9 WHEREAS, on August 21, 2014, Plaintiff filed a Shareholder Derivative Complaint for
10 Breach of Fiduciary Duty against Defendants (Dkt. No. 1);

11 WHEREAS, on August 25, 2014, a summons was issued as to the Individual Defendants
12 (Dkt. No. 7);

13 WHEREAS, the Individual Defendants have agreed to waive service of the complaint;

14 WHEREAS, the Parties met and conferred via telephone and have agreed on a briefing
15 schedule for Defendants’ motion to dismiss the Complaint whereby Defendants’ opening briefing
16 papers will be filed on November 21, 2014; Plaintiff’s opposition papers will be filed on January 9,
17 2015; Defendants’ reply papers will be filed on January 30, 2015; and, subject to the Court’s
18 availability, the Parties will set February 13, 2015 as the hearing date for Defendants’ motion to
19 dismiss;

20 WHEREAS, Civil Local Rule 7-4(b) provides that memoranda of points and authorities may
21 not exceed 25 pages, but this Court’s Standing Order provides that any such memoranda may not
22 exceed 15 pages;

23 WHEREAS, Defendants believe that, given the length of the Complaint, which spans 175
24 paragraphs over 66 pages, and the legal issues that must be addressed, the 15-page limit for
25 memoranda of points and authorities would prevent the Parties from adequately setting forth their
26 arguments in support of and in opposition to Defendants’ motions to dismiss; and

27 WHEREAS, the Parties met and conferred and agree that, in the interests of the Parties and
28 judicial economy, the Defendants should be permitted to file a memorandum of points and

1 authorities in support of their motion to dismiss of up to 25 pages, and Plaintiff should be permitted
 2 to file a memorandum of points and authorities in support of his opposition to Defendants' motion
 3 to dismiss of up to 25 pages.

4 **STIPULATION**

5 NOW, THEREFORE, the Parties stipulate, subject to Court approval, as follows:

6 1. The deadline for Defendants to file their motion to dismiss is November 21, 2014.

7 2. The deadline for Plaintiff to file its opposition to Defendants' motion to dismiss is
 8 January 9, 2015.

9 3. The deadline for Defendants to file their reply in support of their motion to dismiss is
 10 January 30, 2015.

11 4. Subject to the Court's availability, the Parties will set February 13, 2015 as the
 12 hearing date for Defendants' motion to dismiss.

13 5. Defendants' memorandum of points and authorities in support of their motion to
 14 dismiss shall not exceed 25 pages.

15 6. Plaintiff's memorandum of points and authorities in support of his opposition to the
 16 motion to dismiss shall not exceed 25 pages.

17
 18
 19 Dated: November 14, 2014

SHEARMAN & STERLING LLP

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 21 By: /s/ Stephen D. Hibbard
 Stephen D. Hibbard

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Susan C. Schwab; David P. Steiner; and Paul S.
Walsh

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FEDERAL EXPRESS CORPORATION

By: /s/ Richard R. Roberts
Richard R. Roberts
(*pro hac vice* appl. pending)

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*Attorneys for Plaintiff Christopher Liberty,
derivatively on behalf of Federal Express Corporation*

ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

DATED: November 14, 2014

SHEARMAN & STERLING LLP

By: /s/ Stephen D. Hibbard
 Stephen D. Hibbard

*Attorneys for Defendants Frederick W. Smith;
James L. Barksdale; John A. Edwardson;
Shirley Ann Jackson; Steven R. Loranger; Gary
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PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: Nov. 17, 2014

