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 MICHAEL MARKBREITER, MICHAEL J.
 12 NESTOR, MARY K. PENDERGAST, BRYAN M.
 REASONS, and PETER R. TERRERI

13 and

14 Nominal Defendant
 15 IMPAX LABORATORIES, INC.

16 [additional counsel on signature page]

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 IN RE IMPAX LABORATORIES, INC.
 21 SHAREHOLDER DERIVATIVE
 LITIGATION

Case No.: 14-cv-04266-HSG
**STIPULATION AND RESCHEDULING
 ORDER**

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1 WHEREAS, on February 5, 2015, Judge James Donato consolidated Wickey v. Hsu, et
2 al., No. 14-cv-04266 (N.D. Cal.) and International Union of Operating Engineers Local 478 v.
3 Hsu, et al., No. 14-cv-14-04980 (N.D. Cal.) into the above-referenced consolidated shareholder
4 derivative action [Dkt. No. 33];

5 WHEREAS, Judge Donato also ordered that Plaintiffs file a consolidated complaint by
6 February 20, 2015, and set a response date to the consolidated complaint for March 25, 2015.

7 WHEREAS, on February 13, 2015, this consolidated shareholder derivative action was
8 reassigned to this Court ;

9 WHEREAS, on February 20, 2015, Plaintiffs filed a Verified Consolidated Shareholder
10 Derivative Complaint For Breach of Fiduciary Duty (the “Consolidated Complaint”) [Dkt. No.
11 37];

12 WHEREAS, since Plaintiffs’ filing of the Consolidated Complaint, the parties have been
13 engaged in settlement negotiations, and continue to discuss a potential resolution of this matter;
14 and

15 WHEREAS, the parties agree that it would be a waste of judicial resources for
16 Defendants to prepare and file a response to the Consolidated Complaint given the state of
17 settlement negotiations.

18 NOW THEREFORE, the undersigned parties, by and through their counsel of record,
19 stipulate as follows:

- 20 1. The current March 25, 2015 deadline for Defendants’ response to the
21 Consolidated Complaint is vacated.
- 22 2. Defendants shall file and serve their response to the Consolidated Complaint on or
23 before April 24, 2015.
- 24 3. If Defendants filed a motion to dismiss the Consolidated Complaint, Plaintiffs
25 shall file and serve their response to the motion to dismiss on or before May 15,
26 2015.
- 27 4. Defendants shall file and serve any reply in support of their motion to dismiss on
28 or before May 29, 2015.

1 DATED: March 19, 2015

By: /s/ Eric L. Zagar
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Attorneys for Plaintiff Randall K. Wickey

7 DATED: March 19, 2015

By: /s/ Brett M. Middleton
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Attorneys for Plaintiff International Union of
Operating Engineers Local 478

15 DATED: March 19, 2015

By: /s/ Peter A. Wald
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Terreri and Nominal Defendant Impax
Laboratories, Inc.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 3/23/2015



Hon. Haywood S. Gilliam, Jr.
United States District Judge

1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing
3 Stipulation and [Proposed] Rescheduling Order. Pursuant to Civil Local Rule 5-1(i)(3) regarding
4 signatures, I, Peter A. Wald, attest that concurrence in the filing of this document have been
5 obtained.

6 DATED: March 19, 2015

/s/ Peter A. Wald

Peter A. Wald

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