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Attorneys for Defendants
 XOMA CORPORATION, JOHN W. VARIAN,
 and PAUL D. RUBIN

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JOSEPH F. MARKETTE, on Behalf of
 Himself and All Others Similarly Situated,

Plaintiff,

v.

XOMA CORPORATION, JOHN W.
 VARIAN, and PAUL D. RUBIN,

Defendants.

Case No. 3:15-CV-3425-HSG

**STIPULATION AND ORDER TO RELATE
 CASES**

Judge: Hon. Haywood S. Gilliam, Jr.

WHEREAS, on July 24, 2015, Plaintiff Joseph F. Markette filed a putative class action complaint (the “*Markette* Class Action”), Case No. 3-15-CV-3425-HSG, against defendants XOMA Corporation, John W. Varian and Paul D. Rubin for violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (“Exchange Act”);

WHEREAS, on November 16, 2015, Plaintiff Deborah A. Fieser filed a shareholder derivative action complaint (the “*Fieser* Derivative Action”), Case No. 4:15-CV-05236-KAW against defendants XOMA Corporation, W. Denman Van Ness, William K. Bowes Jr., Peter Barton Hutt, Joseph M. Limber, Kelvin M. Neu, Patrick J. Scannon, John W. Varian, Timothy P. Walbert, Paul D. Rubin, and Jack L. Wyszomierski, for breach of fiduciary duty, arising out of largely the same underlying facts as the *Markette* Class Action;

1 WHEREAS, the parties believe under the particular circumstances of this case that the
2 *Markette* Class Action and the *Fieser* Derivative Action should be related pursuant to Northern
3 District of California Local Rule 3-12(a);

4 THEREFORE, the parties, through counsel, hereby stipulate as follows:

5 1. The *Markette* Class Action and the *Fieser* Derivative Action should be related
6 pursuant to Northern District of California Local Rule 3-12(a).

7 IT IS SO STIPULATED.

8 Dated: January 21, 2016

COOLEY LLP
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12 /s/ Jessica Valenzuela Santamaria
13 Jessica Valenzuela Santamaria (220934)

14 Attorneys for Defendants XOMA CORPORATION,
JOHN W. VARIAN, and PAUL D. RUBIN

15 Dated: January 21, 2016

PUNZALAN LAW, P.C.
MARK PUNZALAN (247599)

18 /s/ Mark Punzalan
19 Mark Punzalan (247599)

Attorneys for Plaintiff JOSEPHE F. MARKETTE

20 Dated: January 21, 2016

GREEN & NOBLIN, P.C.
ROBERT S. GREEN (136183)
JAMES ROBERT NOBLIN (114442)
and
FEDERMAN & SHERWOOD
WILLIAM B. FEDERMAN

25 /s/ James Robert Noblin
26 James Robert Noblin (114442)

Attorneys for Plaintiff DEBORAH A. FIESER

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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.

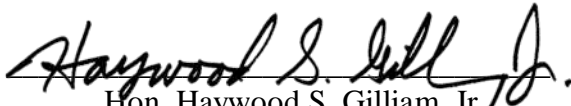
Dated: January 25, 2016 COOLEY LLP

/s/ Jessica Valenzuela Santamaria
Jessica Valenzuela Santamaria (220934)

Attorneys for Defendants XOMA
CORPORATION, JOHN W. VARIAN,
and PAUL D. RUBIN

IT IS SO ORDERED.

Dated: January 25, 2016


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

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