

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO

1 SUSAN S. MUCK (CSB No. 126930)
smuck@fenwick.com
2 CATHERINE D. KEVANE (CSB No. 215501)
ckevane@fenwick.com
3 KAITLIN O. KELLER (CSB No. 298737)
kkeller@fenwick.com
4 FENWICK & WEST LLP
555 California Street, 12th Floor
5 San Francisco, CA 94104
Telephone: 415.875.2300
6 Facsimile: 415.281.1350

7 Attorneys for Defendants
GoPro, Inc., Nicholas Woodman,
8 Jack Lazar, and Anthony Bates

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 JOSEPH BODRI, Individually and On Behalf of
14 All Others Similarly Situated,

15 Plaintiff,

16 v.

17 GOPRO, INC., NICHOLAS WOODMAN, and
18 JACK LAZAR,

19 Defendants.

20 BARRY LEE DEEM, on behalf of himself and
all others similarly situated,

21 Plaintiff,

22 v.

23 GOPRO, INC., NICHOLAS WOODMAN, and
24 JACK LAZAR,

25 Defendants.

Case No.: 3:16-cv-00232 JST

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR ALL
DEFENDANTS TO RESPOND TO
COMPLAINTS AND CONTINUING
CASE MANAGEMENT
CONFERENCES**

Judge: Hon. Jon S. Tigar

Date Action Filed: January 13, 2016
Case No.: 3:16-cv-00338 JST

Judge: Hon. Jon S. Tigar

Date Action Filed: January 21, 2016

26
27
28 STIP. AND ~~PROPOSED~~ ORDER
EXTENDING TIME TO RESPOND AND
CONTINUING CMC

Case No.: 3:16-cv-00232 JST
Case No.: 3:16-cv-00338 JST
Case No.: 3:16-cv-00598 JST
Case No.: 3:16-cv-00845 JST

1 RENE VAN MEERBEKE, Individually and on
2 Behalf of All Others Similarly Situated,

3 Plaintiff,

4 v.

5 GOPRO, INC., NICHOLAS WOODMAN, and
6 JACK LAZAR, and ANTHONY J. BATES

7 Defendants.

8 MAJESTY PALMS, LLLP, Individually and on
9 Behalf of All Others Similarly Situated,

10 Plaintiff,

11 v.

12 GOPRO, INC., NICHOLAS WOODMAN, and
13 JACK LAZAR,

14 Defendants.

Case No.: 3:16-cv-00598 JST

Judge: Hon. Jon S. Tigar

Date Action Filed: February 4, 2016

Case No.: 3:16-cv-00845 JST

Judge: Hon. Jon S. Tigar

Date Action Filed: February 19, 2016

1 WHEREAS, the following actions are proposed class actions alleging violations of the
2 federal securities laws against GoPro, Inc. (“GoPro” or the “Company”), Nicholas Woodman,
3 Jack Lazar, and/or Anthony Bates (collectively, “Defendants”):

4 *Bodri v. GoPro, Inc., et al.*, Case No. 3:16-cv-00232 JST, filed on January 13, 2016
5 (“*Bodri*”);

6 *Deem v. GoPro, Inc., et al.*, Case No. 3:16-cv-00338 JST, filed on January 21, 2016
7 (“*Deem*”);

8 *Rene Van Meerbeke v. GoPro, Inc., et al.*, Case No. 3:16-cv-00598 JST, filed on February
9 4, 2016 (“*Van Meerbeke*”); and

10 *Majesty Palms, LLLP v. GoPro, Inc., et al.*, Case No. 3:16-cv-00845 JST, filed on
11 February 19, 2016 (“*Majesty Palms*”)

12 (together, the “Securities Actions”);

13 WHEREAS, on January 14, 2016, this Court issued an Initial Case Management
14 Scheduling Order (Dkt. No. 6) in *Bodri*, the first-filed action, setting the following deadlines:

- 15 1. **March 23, 2016** for the parties to comply with certain requirements under the
16 Federal Rules of Civil Procedure and the Northern District of California Civil
17 Local Rules (“Local Rules” or “Civil L.R.”) and Alternative Dispute Resolution
18 (“ADR”) Local Rules regarding discovery, early settlement, and the ADR Multi-
19 Option Program; and
- 20 2. **April 6, 2016** for the parties to file a Rule 26(f) Report, complete initial
21 disclosures or state objections in the Rule 26(f) Report, and file a Joint Case
22 Management Statement; and
- 23 3. **April 13, 2016 at 2:00 p.m.** for an initial case management conference;

24 WHEREAS, on January 27, 2016 and on February 16, 2016, the Court issued Orders
25 deeming the *Deem* and *Van Meerbeke* actions “related cases” within the meaning of Civil L.R. 3-
26 12 and ordering that the case management deadlines in the reassigned cases be rescheduled (Dkt.
27 Nos. 9, 11);

1 WHEREAS, on March 7, 2016, a stipulated administrative motion to relate the *Majesty*
2 *Palms* action was filed, and on March 14, 2016, the Court issued an Order deeming the *Majesty*
3 *Palms* action a “related case” within the meaning of Civil L.R. 3-12 (Dkt. Nos. 13, 42);

4 WHEREAS, the Securities Actions are subject to the requirements of the Private
5 Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995) (the “Reform
6 Act”), which sets forth specialized procedures for the administration of securities class actions;

7 WHEREAS, the Reform Act provides for the appointment of a lead plaintiff to act on
8 behalf of the purported class, and further provides that the appointment of lead plaintiff shall not
9 be made until after a decision on a motion to consolidate is rendered (15 U.S.C. § 78u-
10 4(a)(3)(B)(ii));

11 WHEREAS, on March 14, 2016, motions for consolidation and for appointment of lead
12 plaintiff and lead counsel in the consolidated actions were filed (“Lead Plaintiff Motions”) (Dkt.
13 Nos. 15, 16, 21, 26, 31, 32, 36, 40);

14 WHEREAS, the parties expect that the Court will set a schedule for a consolidated
15 complaint to be filed after the determination of the Lead Plaintiff Motions;

16 WHEREAS, Defendants anticipate filing motions to dismiss the claims asserted against
17 them;

18 WHEREAS, because the special procedures specified in the Reform Act contemplate
19 (i) the consolidation of similar actions; (ii) appointment of lead plaintiff; and (iii) the filing of a
20 single consolidated complaint by lead plaintiff and counsel to be appointed by the Court,
21 requiring Defendants to respond to the initial complaints in each of the Securities Actions would
22 result in the needless expenditure of private and judicial resources; and

23 WHEREAS, counsel for the plaintiffs and defendants in the Securities Actions
24 respectfully submit that good cause exists to vacate the existing April 13, 2016 initial case
25 management conference and associated ADR deadlines until such time as the Court has the
26 opportunity to rule on the appointment of lead plaintiff and approval of lead counsel;

1 IT IS ACCORDINGLY STIPULATED, by and between the undersigned counsel for the
2 Parties, that:

- 3 1. Pursuant to Civil L.R. 6-1(a), the defendants' obligation to answer, move or otherwise
4 respond to the complaint in any of the Securities Actions (*i.e.*, the *Bodri, Deem, Van*
5 *Meerbeke* and *Majesty Palms* complaints) is stayed pending the appointment of lead
6 plaintiff and lead counsel. Thereafter, the parties shall meet and confer and submit a
7 mutually agreeable schedule for (i) the filing of a consolidated complaint (or
8 designation of an operative complaint), (ii) defendants' responses to the consolidated
9 or operative complaint, and (iii) the briefing of any motions to dismiss filed by
10 defendants. The consolidated or operative complaint shall supersede all complaints
11 filed in any action that is consolidated herein.
- 12 2. Pursuant to Civil L.R. 16-2, the Initial Case Management Conference scheduled for
13 April 13, 2016 be vacated, along with any associated deadlines under the Federal
14 Rules of Civil Procedure and Local Rules, to be rescheduled for a date after the filing
15 of the consolidated complaint or after the Court rules on defendants' anticipated
16 motion(s) to dismiss the consolidated complaint, as the Court determines to be
17 appropriate; all associated ADR Multi-Option Program deadlines likewise be deferred;
18 and any case management conference and associated deadlines being rescheduled by
19 the Court in the recently related *Deem, Van Meerbeke* and *Majesty Palms* matters be
20 similarly scheduled in light of the foregoing.

21 Dated: March 16, 2016

FENWICK & WEST LLP

22 By: /s/ Catherine D. Kevane

23 Catherine D. Kevane

24 555 California Street, 12th Floor
25 San Francisco, California 94104
26 Phone: (415) 875-2300
27 Fax: (415) 281-1350

28 Attorneys for Defendants
GoPro, Inc., Nicholas Woodman,
Jack Lazar, and Anthony Bates

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 16, 2016

GLANCY PRONGAY & MURRAY LLP

By: /s/ Charles H. Linehan

Lionel Z. Glancy
Robert V. Prongay
Lesley F. Portnoy
Charles H. Linehan
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Phone: (310) 201-9150
Fax: (310) 201-9160
Email: lglancy@glancylaw.com
rprongay@glancylaw.com
lportnoy@glancylaw.com
clinehan@glancylaw.com

Attorneys for Plaintiff Joseph Bodri

Dated: March 16, 2016

KAPLAN FOX & KILSHEIMER LLP

By: /s/ Laurence D. King

Laurence D. King
Mario Man-Lung Choi
350 Sansome Street, Suite 400
San Francisco, CA 94104
Phone: (415) 772-4700
Fax: (415) 772-4707
Email: lking@kaplanfox.com
mchoi@kaplanfox.com

Robert N. Kaplan
Jeffrey Phillip Campisi
Kaplan Fox & Kilsheimer LLP
850 Third Avenue, 14th Floor
New York, NY 10022
Phone: (212) 687-1980
Fax: (212) 687-7714
Email: rkaplan@kaplanfox.com
jcampisi@kaplanfox.com

Attorneys for Plaintiff Barry Lee Deem

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: March 16, 2016

ROBBINS GELLER RUDMAN & DOWD LLP

By: /s/ Shawn A. Williams

Shawn A. Williams
Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Phone: (415) 288-4545
Fax: (415) 288-4534
Email: shawnw@rgrdlaw.com

Michael I. Fistel, Jr.
Johnson & Weaver, LLP
40 Powder Springs Street
Marietta, GA 30064
Phone: (770) 200-3104
Fax: (770) 200-3101
Email: michael@johnsonandweaver.com

Attorneys for Plaintiff Rene Van Meerbeke

Dated: March 16, 2016

STULL, STULL & BRODY

By: /s/ Patrice L. Bishop

Patrice L. Bishop
9430 W. Olympic Blvd., Suite 400
Beverly Hills, CA 90212
Phone: (310) 209-2468
Fax: (310) 209-2087
Email: pbishop@ssbla.com

Thomas J. McKenna
Gregory M. Egleston
GAINEY MCKENNA & EGGLESTON
440 Park Avenue South, 5th Floor
New York, NY 10016
Phone: (212) 983-1300
Fax: (212) 983-0383
Email: tjmckenna@gme-law.com
gegleston@gme-law.com

Attorneys for Plaintiff Majesty Palms, LLLP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Pursuant to Civil L.R. 5-1(i)(3), all signatories concur in filing this stipulation.

Dated: March 16, 2016

FENWICK & WEST LLP

By: /s/ Catherine D. Kevane
Catherine D. Kevane

555 California Street, 12th Floor
San Francisco, California 94104
Phone: (415) 875-2300
Fax: (415) 281-1350

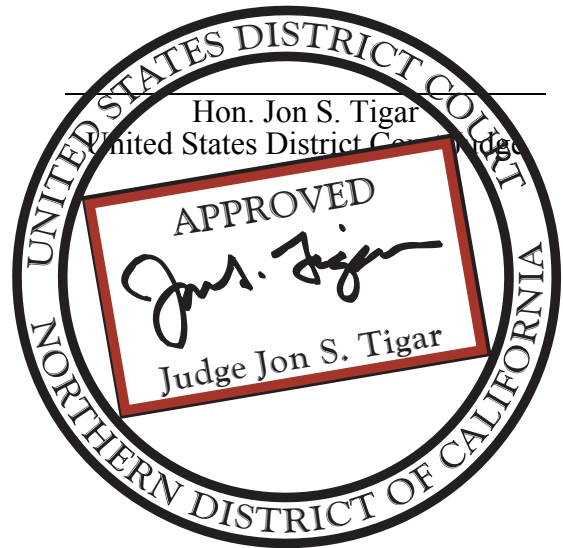
Attorneys for Defendants
GoPro, Inc., Nicholas Woodman,
Jack Lazar, and Anthony Bates

* * *

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March 17, 2016



FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO