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 8 ROBERT G. BEARDEN,
 AND SCOTT J. DAVIDSON
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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION
 13

14 WILLIAM MONACHELLI, Individually and on
 Behalf of All Others Similarly Situated,

15 Plaintiff,

16 v.

17 HORTONWORKS, INC., ROBERT G.
 18 BEARDEN, AND SCOTT J. DAVIDSON,

19 Defendants.
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Case No. 3:16-cv-00980-SI

**STIPULATION AND
 [PROPOSED] ORDER
 CONTINUING CASE
 MANAGEMENT CONFERENCE
 AND EXTENDING TIME TO
 ANSWER OR OTHERWISE
 RESPOND TO COMPLAINT**

Judge: Hon. Susan Illston
 Ctrm: 1 – 17th Floor
 Complaint Filed: Feb. 29, 2016
 Trial Date: None Set

1 This Stipulation is entered into between Defendants Hortonworks, Inc., Robert J. Bearden,
2 and Scott J. Davidson (“Defendants”) and Plaintiff William Monachelli (“Plaintiff” and
3 collectively, with Defendants, the “Parties”).

4 WHEREAS, Plaintiff filed a Complaint for Violation of the Federal Securities Laws in
5 this action on February 29, 2016 (“the Complaint”);

6 WHEREAS, Defendants waived service of the Summons and the Complaint in this action
7 on March 29, 2016;

8 WHEREAS, as a federal securities class action governed by the provisions of the Private
9 Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4, *et seq.*, Defendants maintain that this
10 action is subject to a mandatory stay of all discovery and other proceedings pending
11 determination of a motion to dismiss;

12 WHEREAS, motions for appointment as Lead Plaintiff and approval of Lead Counsel for
13 the putative Class in this action pursuant to the PSLRA are due to be filed on April 29, 2016;

14 WHEREAS, Defendants’ responses to the Complaint are currently due to be filed on
15 April 29, 2016;

16 WHEREAS, the Parties anticipate that after the Court appoints a Lead Plaintiff, Lead
17 Plaintiff will file an Amended Complaint;

18 WHEREAS, the Parties anticipate that Defendants will move to dismiss Lead Plaintiff’s
19 Amended Complaint;

20 WHEREAS, the Court has scheduled a Case Management Conference (“CMC”) in this
21 action for June 17, 2016 at 2:30 p.m. (Dkt. No. 7);

22 WHEREAS, the Parties believe it would save judicial and Party resources if Defendants’
23 obligation to answer or otherwise respond to the Complaint is stayed until after this Court has
24 appointed a Lead Plaintiff and approved Lead Plaintiff’s selection of Lead Counsel for the Class
25 and after an Amended Complaint, if any, has been filed by Lead Plaintiff;

26 WHEREAS, there have been no previous requests for time modifications in this action;

27 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
28 the undersigned Parties that:

- 1 1. Defendants expressly reserve all rights, defenses, and or other objections to the
2 Complaint, except insufficient service of process;
- 3 2. Defendants need not answer or otherwise respond to the Complaint in this action
4 except as specified herein;
- 5 3. Within twenty (20) days after this Court appoints a Lead Plaintiff, the Lead
6 Plaintiff and Defendants will submit to the Court a proposed schedule for (i) Lead Plaintiff's
7 filing of an Amended Complaint or designation of the Complaint as the operative complaint in
8 this action; (ii) Defendants' time to answer or otherwise respond to the operative complaint; (iii)
9 Lead Plaintiff's time to respond to any motion to dismiss; and (iv) Defendants' time to reply with
10 respect to the same.
- 11 4. The Initial Case Management Conference shall be rescheduled to September 16,
12 2016 at 2:30 pm or at such subsequent date and time that is convenient for the Court.

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1 Dated: April 26, 2016

MORRISON & FOERSTER LLP

/s/Ryan M. Keats

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Counsel for Defendants
HORTONWORKS, INC.,
ROBERT G. BEARDEN,
AND SCOTT J. DAVIDSON

9
10 Dated: April 26, 2016

POMERANTZ LLP

/s/J. Alexander Hood II

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ATTESTATION

I, Ryan M. Keats, am the ECF User whose ID and password are being used to file this **STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE AND EXTENDING TIME TO ANSWER OR OTHERWISE RESPOND TO COMPLAINT**. In compliance with Civil L.R. 5-1, I hereby attest that J. Alexander Hood II concurred in this filing.

/s/Ryan M. Keats
Ryan M. Keats

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. The June 17, 2016 CMC shall be rescheduled to September 16, 2016, at 2:30 p.m.

DATED: 4/27/16



Honorable Judge Susan Illston