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7 Attorneys for Defendants
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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

14 WILLIAM MONACHELLI, Individually and
 on Behalf of All Others Similarly Situated,
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 16 Plaintiff,
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 v.
 18 HORTONWORKS, INC., ROBERT G.
 BEARDEN, and SCOTT J. DAVIDSON,
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 20 Defendants.

Case No. 3:16-cv-00980-SI
STIPULATION AND ~~PROPOSED~~
SCHEDULING ORDER

Judge: Hon. Susan Illston
 Complaint Filed: Feb. 29, 2016
 Trial Date: None set

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1 Pursuant to Civil Local Rule 7-12, Defendants Hortonworks, Inc., Robert G. Bearden, and
2 Scott J. Davidson (“Defendants”), Lead Plaintiff Randall A. Arvidson, and original Plaintiff
3 William Monachelli (together the “Plaintiffs” and collectively, with Defendants, the “Parties”),
4 by and through their undersigned counsel of record, submit the following Stipulation and
5 Proposed Scheduling Order:

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

8 WHEREAS, on April 27, 2016, the Court entered an order (Dkt. No. 19) approving the
9 Parties’ joint stipulation to reschedule the June 17, 2016 CMC to September 16, 2016 and
10 extending Defendants’ time to respond to the complaint, providing that, “Within twenty (20) days
11 after this Court appoints a Lead Plaintiff, the Lead Plaintiff and Defendants will submit to the
12 Court a proposed schedule for (i) Lead Plaintiff’s filing of an Amended Complaint or designation
13 of the Complaint as the operative complaint in this action; (ii) Defendants’ time to answer or
14 otherwise respond to the operative complaint; (iii) Lead Plaintiff’s time to respond to any motion
15 to dismiss; and (iv) Defendants’ time to reply with respect to the same.”;

16 WHEREAS, on June 1, 2016, the Court issued a written order granting Randall A.
17 Arvidson’s unopposed motion seeking his appointment as Lead Plaintiff and granting his motion
18 for appointment of Pomerantz LLP as Lead Counsel. (Dkt No. 39);

19 WHEREAS, the Parties have met and conferred and agreed as to a proposed schedule for
20 the filing of an amended complaint and for briefing Defendants’ anticipated motion to dismiss
21 and further agreed that it would save judicial and Party resources if the CMC is deferred until
22 after the Court rules on such motion;

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

- 25 1. Lead Plaintiff shall file an amended complaint no later than July 28, 2016;
- 26 2. Defendants’ motion to dismiss the amended complaint shall be filed on or before
27 September 12, 2016;

1 3. Lead Plaintiff's opposition to Defendants' motion to dismiss the amended
2 complaint shall be filed on or before October 27, 2016;

3 4. Defendants' reply in support of their motion to dismiss shall be filed on or before
4 November 17, 2016;

5 5. The hearing on Defendants' motion to dismiss shall be scheduled for December 9,
6 2016 at 9:00 a.m., or such subsequent date that is convenient for the Court;

7 6. The CMC shall be rescheduled to February 24, 2017 at 2:30 p.m., or such
8 subsequent date that is convenient for the Court, in Courtroom # 1, 17th Floor, Phillip Burton
9 Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102. In accordance with this
10 Court's Standing Order (Dkt No. 7-2) ¶7, the parties hereto stipulate and agree that their counsel
11 may appear at the CMC telephonically.

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1 Dated: June 21, 2016

MORRISON & FOERSTER LLP

/s/Ryan M. Keats

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

10 Dated: June 21, 2016

POMERANTZ LLP

/s/ Matthew Tuccillo

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Lead Counsel for Plaintiffs

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. Lead Plaintiff shall file an amended complaint no later than July 28, 2016;
2. Defendants' motion to dismiss the amended complaint shall be filed on or before September 12, 2016;
3. Plaintiff's opposition to Defendants' motion to dismiss the amended complaint shall be filed on or before October 27, 2016;
4. Defendants' reply in support of their motion to dismiss shall be filed on or before November 17, 2016;
5. The hearing on Defendants' motion to dismiss shall be scheduled for December 9, 2016 at 9:00 a.m., or such subsequent date that is convenient for the Court;
6. The CMC shall be rescheduled to February 24, 2017 at 2:30 p.m., or such subsequent date that is convenient for the Court. In accordance with this Court's Standing Order (Dkt No. 7-2) ¶7, the parties' counsel may appear at the CMC telephonically.

DATED: 6/22/16



Honorable Judge Susan Illston

ATTESTATION

I, Ryan M. Keats, am the ECF User whose ID and password are being used to file this
STIPULATION AND [PROPOSED] SCHEDULING ORDER. In compliance with Civil L.R.
5-1, I hereby attest that Matthew Tuccillo concurred in this filing.

/s/ Ryan M. Keats

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