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8 *Attorneys for Defendants Intrexon Corporation,*
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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

PATRICK M. and DEBORAH P. GIBRALL,)
 Individually and on Behalf of All Others Similarly)
 Situated,)
)
 Plaintiffs,)
)
 v.)
)
 INTREXON CORPORATION, RANDAL J.)
 KIRK, and RICK L. STERLING,)
)
 Defendants.)
)
)

CASE NO.: 3:16-cv-02457-RS
 STIPULATION AND [~~PROPOSED~~]
 ORDER TO EXTEND TIME TO
 RESPOND TO COMPLAINT

1 WHEREAS, on May 5, 2016, Plaintiffs Patrick M. and Deborah P. Gibrall, individually
2 and on behalf of all others similarly situated, filed a Class Action Complaint for Violations of the
3 Federal Securities Laws (“Complaint”) against Intrexon Corporation (“Intrexon”) and certain
4 of its current executives, Randal J. Kirk and Rick L. Sterling (collectively, “Defendants”);

5 WHEREAS, on May 3, 2016, a substantively similar complaint with the caption *Ryan*
6 *Hoffman v. Intrexon Corp. et al.* (Case No. 3:16-cv-02398-RS) (the “*Hoffman* Action”) was filed
7 with the Court;

8 WHEREAS, Defendants signed and returned waivers of service and Defendants’ initial
9 response to the Complaint is currently due on July 11, 2016;

10 WHEREAS, this action is governed by the provisions of the Private Securities Litigation
11 Reform Act of 1995 (“PSLRA”), 15 U.S.C. §78u-4 *et seq.*, and the parties anticipate that the
12 Court will consolidate the *Gibrall* and *Hoffman* actions and will appoint a lead plaintiff, and that
13 the court-appointed lead plaintiff will file a consolidated complaint superseding previously filed
14 complaints, including the Complaint; and

15 WHEREAS, the parties agree that efficiency for the courts and the parties in proceeding
16 under the PSLRA dictates that responding to any complaint should be deferred in light of the
17 foregoing.

18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
19 respective parties hereto, that:

- 20 1. Defendants shall not be required to, and shall not waive any rights, arguments, or
21 defenses by waiting to answer, move, or otherwise respond to the Complaint in this action.
- 22 2. After the appointment of a lead plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B),
23 lead plaintiff and Defendants shall promptly meet and confer regarding a schedule for the filing
24 of a consolidated complaint or designation of an operative complaint, and a briefing schedule for
25 Defendants’ anticipated motion(s) to dismiss. The parties shall submit a joint stipulation with a
26 proposed schedule no later than ten (10) business days following the appointment of lead
27 plaintiff.

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~~[PROPOSED]~~ ORDER

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that:

1. Defendants shall not be required to, and shall not waive any rights, arguments, or defenses by waiting to answer, move, or otherwise respond to the Complaint in this action.
2. After the appointment of a lead plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B), lead plaintiff and Defendants shall promptly meet and confer regarding a schedule for the filing of a consolidated complaint or designation of an operative complaint, and a briefing schedule for Defendants' anticipated motion(s) to dismiss. The parties shall submit a joint stipulation with a proposed schedule no later than ten (10) business days following the appointment of lead plaintiff.
3. This Order is entered into without prejudice to any party seeking any interim relief.
4. Nothing in this Order shall be construed as a waiver of any of Defendants' rights or positions in law or in equity, or as a waiver of any defenses that Defendants would otherwise have, including, without limitation, jurisdictional defenses.

IT IS SO ORDERED.

DATED: 6/29/16


HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE