

1 ANNA ERICKSON WHITE (CA SBN 161385)
 AWhite@mofo.com
 2 ROBERT L. CORTEZ WEBB (CA SBN 274742)
 RWebb@mofo.com
 3 SU-HAN WANG (CA SBN 284863)
 SWang@mofo.com
 4 MORRISON & FOERSTER LLP
 425 Market Street
 5 San Francisco, California 94105-2482
 Telephone: 415.268.7000
 6 Facsimile: 415.268.7522

7 Attorneys for Defendants
 Sunrun Inc., Lynn Jurich, Bob Komin, Edward Fenster, Jameson
 8 McJunkin, Gerald Risk, Steve Vassallo, Richard Wong, Beau
 Peelle, Eren Omer Atesmen, Reginald Norris, William Elmore,
 9 Foundation Capital VI, L.P., and Foundation Capital
 Management Co. VI, LLC

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

15 CAROLE LEE GREENBERG, Individually and
 on Behalf of All Others Similarly Situated,

16 Plaintiff,

17 v.

18 SUNRUN INC., LYNN JURICH, BOB KOMIN,
 19 EDWARD FENSTER, JAMESON MCJUNKIN,
 GERALD RISK, STEVE VASSALLO,
 20 RICHARD WONG, BEAU PEELLE, EREN
 OMER ATESMEN, REGINALD NORRIS,
 21 WILLIAM ELMORE, FOUNDATION
 CAPITAL VI, L.P., FOUNDATION CAPITAL
 22 MANAGEMENT CO. VI, LLC, CREDIT
 SUISSE SECURITIES (USA) LLC, GOLDMAN,
 23 SACHS & CO., MORGAN STANLEY & CO.
 LLC, MERRILL LYNCH, PIERCE, FENNER &
 24 SMITH INCORPORATED, RBC CAPITAL
 MARKETS, LLC, KEYBANC CAPITAL
 25 MARKETS INC., and SUNTRUST ROBINSON
 HUMPHREY, INC.,

26 Defendants.
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Case No. 3:16-cv-2480-CRB

CLASS ACTION

**STIPULATION AND ORDER
 EXTENDING DEFENDANTS'
 RESPONSE DEADLINE
 PENDING APPOINTMENT OF
 LEAD PLAINTIFF AND LEAD
 COUNSEL AND VACATING
 INITIAL CASE MANAGEMENT
 CONFERENCE**

[CIV L.R. 6-1(A)]
 [CIV L.R. 7-12]

Judge: Hon. Charles R. Breyer
 Courtroom: 6, 17th Floor
 Case filed: May 6, 2016
 Trial date: None set

1 All parties, through their undersigned counsel, hereby submit this Stipulation deferring
2 Defendants' deadlines to respond to the complaint pursuant to Civil Local Rule 6-1(a), and
3 vacating the initial case management conference.

4 **RECITALS**

5 WHEREAS, on May 6, 2016, the above-captioned class action complaint was filed in this
6 Court. (Dkt. 1.) The complaint alleges violations of the federal securities laws by Sunrun Inc.
7 ("Sunrun"), certain of Sunrun's directors, officers, and employees, as well as the underwriters of
8 Sunrun's initial public offering;

9 WHEREAS, upon commencement of this action, an initial case management conference
10 was set for August 5, 2016 at 8:30 AM. (Dkt. 3);

11 WHEREAS, this action is governed by the Private Securities Litigation Reform Act of
12 1995, 15 U.S.C. § 78u-4 *et seq.* (the "Reform Act"). Among other things, discovery is
13 automatically stayed pending resolution of a motion to dismiss;

14 WHEREAS, pursuant to the provisions of the Reform Act and Civil Local Rule 23-1,
15 motions for appointment of lead plaintiff and lead counsel are due by July 26, 2016;

16 WHEREAS no meaningful litigation activity is expected in this action until after the Court
17 appoints a lead plaintiff and lead counsel, at which point an amended complaint is likely to be
18 filed by the appointed lead plaintiff and lead counsel;

19 WHEREAS, after an operative complaint is filed or designated, defendants anticipate
20 filing motions to dismiss that complaint;

21 WHEREAS counsel for the undersigned parties agree that deferring the response
22 deadlines for all defendants until after the Court appoints a lead plaintiff and lead counsel
23 pursuant to the Reform Act is prudent and will conserve party and judicial resources;

24 WHEREAS the parties further agree that an initial case management conference, attendant
25 deadlines, and related ADR procedures are premature and should be deferred until the initial case
26 management conference is reset following appointment of a lead plaintiff and lead counsel by the
27 Court.

1 **STIPULATION**

2 NOW, THEREFORE, the undersigned hereby stipulate, subject to Court approval as to
3 the resetting of the Case Management Conference, as follows:

4 1. Defendants agree to accept service, through counsel, to the extent they have not
5 yet been served;¹

6 2. Defendants shall have no obligation to respond to the complaint until after the
7 Court appoints a lead plaintiff and lead counsel;

8 3. Counsel for the defendants will meet and confer with the court-appointed lead
9 counsel within fourteen days after the Court makes its appointment to discuss a schedule for the
10 filing of any amended complaint and defendants' responses, including their currently anticipated
11 motions to dismiss; and

12 4. The Case Management Conference that is presently scheduled for August 5, 2016,
13 is hereby vacated and shall be reset in connection with the setting of the briefing schedule on
14 defendants' anticipated motions to dismiss. The related deadlines, including ADR requirements,
15 shall be deferred until after an initial case management conference is reset.

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27 ¹ Undersigned counsel's acceptance of service of the complaint is without prejudice to and
28 without waiver of any defenses, objections or arguments in this matter or any other matter, except
as to sufficiency of service of process.

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IT IS SO STIPULATED

Dated: June 6, 2016

POMERANTZ LLP

By: /s/ Jennifer Pafiti

Attorneys for Plaintiff Carole Lee Greenberg

Jennifer Pafiti (SBN 282790)
468 North Camden Drive
Beverly Hills, CA 90210
Telephone: 818.532.6499
jpafiti@pomlaw.com

Dated: June 6, 2016

MORRISON & FOERSTER LLP

By: /s/ Anna Erickson White

Attorneys for the Sunrun Defendants

Dated: June 6, 2016

SHEARMAN & STERLING LLP

By: /s/ Patrick D. Robbins

Attorneys for the Underwriter Defendants

Patrick D. Robbins (SBN 152288)
535 Mission Street, 25th Floor
San Francisco, CA 94105
Telephone: 415.616.1100
Facsimile: 415.616.1199
Email: probbins@shearman.com

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: June 8, 2016



Hon. Charles R. Breyer
United States District Judge

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ATTESTATION

I, Anna Erickson White, am the ECF User whose ID and password are being used to file this **STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANTS' RESPONSE DEADLINE PENDING APPOINTMENT OF LEAD PLAINTIFF AND LEAD COUNSEL AND VACATING INITIAL CASE MANAGEMENT CONFERENCE**. In compliance with Civil L.R. 5-1, I hereby attest that Jennifer Pafiti and Patrick D. Robbins concurred in this filing.

/s/ Anna Erickson White