1 2	ARNOLD & PORTER LLP GILBERT R. SEROTA (Bar No. 75305) gilbert.serota@aporter.com		
3	ERICA M. CONNOLLY (Bar No. 288822) erica.connolly@aporter.com		
4	Three Embarcadero Center, 7th Floor San Francisco, California 94111-4024		
5	Telephone: (415) 471-3100 Facsimile: (415) 471-3400		
6	LOWELL HAKY (No. 178526)		
7	Vice President and Associate General Counsel MAI KLAASSEN (No. 209546)		
8	Vice President and Associate General Counsel CHARLES SCHWAB & CO., INC.		
9	211 Main Street San Francisco, CA 94105		
10	Telephone: (415) 471-3100 Facsimile: (415) 471-3400		
11	Attorneys for Defendants THE CHARLES SCHWAB CORPORATION and CHARLES SCHWAB & CO., INC.		
12			
13	UNITED STATES DISTRICT COURT		
14	NORTHERN DISTRICT OF CALIFORNIA		
15			
16 17	ROBERT CRAGO, Individually And On Behalf Of All Others Similarly Situated,	Case No. 3:16-cv-3938-RS	
17	Plaintiff,	STIPULATION AND [PROPOSED]	
18	V.	ORDER TO EXTEND DEADLINE TO RESPOND TO COMPLAINT AND TO	
19 20	THE CHARLES SCHWAB CORPORATION,	VACATE INITIAL CASE MANAGEMENT CONFERENCE	
20 21	CHARLES SCHWAB & CO., INC., CHARLES R. SCHWAB, and WALTER W. BETTINGER II,		
22	Defendants.		
23			
24			
25			
26			
27			
28			
	STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE TO RESPOND Case No. 16-cv-39 Dockets Dockets		

WHEREAS, Plaintiff Robert Crago ("Plaintiff") filed his complaint on July 13, 2016;

WHEREAS, the Court set an initial case management conference for October 13, 2016 (see ECF No. 13);

WHEREAS, on July 27, 2016, Plaintiff sent a Notice of Lawsuit and Request To Waive Service of Summons to Defendants The Charles Schwab Corporation, Charles Schwab & Co., Inc., Charles R. Schwab, and Walter W. Bettinger II (collectively "Defendants");

WHEREAS, Defendants agreed to waive service as to The Charles Schwab Corporation and Charles Schwab & Co., Inc. and sent these waivers to Plaintiff on August 26, 2016;

WHEREAS, pursuant to the Securities Exchange Act of 1934 (as amended by the Private Securities Litigation Reform Act of 1995) (*see* 15 U.S.C. §78u-4(a)(3)(i)(II)) and Civ. L.R. 23-1(b), on September 16, 2016, two sets of parties moved the Court for appointment as lead plaintiff of the putative class, and the hearing on the motion is set for October 27, 2016 (*see* ECF Nos. 14, 17);

WHEREAS, Plaintiff Crago has not moved for appointment as lead plaintiff of the putative class;

WHEREAS, following appointment of lead plaintiff, a new or Amended Complaint will be filed and Defendants anticipate that they will likely move to dismiss said Complaint;

WHEREAS, these parties agree that in light of the foregoing circumstances and in the interest of judicial efficiency, administration and justice, as well as conservation of judicial and private resources, the appointed lead plaintiff who amends or files a new Complaint should be responsible for responding to Defendants' intended motion to dismiss;

WHEREAS, the parties have conferred and have agreed to extend the deadline for Defendants to respond to the Amended Complaint until 30 days after the lead plaintiff files the Amended Complaint;

WHEREAS, pursuant to the terms of the Securities Exchange Act (as amended by the PSLRA) (*see* 15 U.S.C. §78u-4(b)(3)(B)), all discovery is currently stayed pending resolution of any motion to dismiss filed by Defendants; and

WHEREAS, these parties also agree that the initial case management conference, now set to occur before the hearing on lead plaintiff, should be vacated.

1		CREBY STIPULATED AND AGREED, SUBJECT TO
2		ese parties through their respective counsel of record, as
3	follows:	
4	1. Defendants' deadline to re	spond to the Complaint will be extended until 30 days
5	after the appointed lead plaintiff files a ne	ew or Amended Complaint;
6	2. The initial case management conference currently scheduled for October 13, 2016	
7	will be vacated;	
8	3. These parties have not sou	ght any other extension of time in this action;
9	4. These parties do not seek	to reset these dates for the purpose of delay. The proposed
10	new dates will not have an effect on any	pre-trial and trial dates as the Court has yet to schedule
11	these dates.	
12	SO STIPULATED.	
13	Dated: September 23, 2016	ARNOLD & PORTER LLP
14		By: <u>/s/ Gilbert R. Serota</u> GILBERT R. SEROTA
15		GILBERT R. SEROTA
16 17		Attorneys for Defendants THE CHARLES SCHWAB CORPORATION and CHARLES SCHWAB & CO., INC.
18	Dated: September 23, 2016	LEVI & KORSINSKY LLP
19		By: <u>/s/ Adam McCall</u> ADAM MCCALL
20 21		Attorneys for Plaintiff ROBERT CRAGO
22		ATTESTATION
23	I, Gilbert R. Serota, am the ECF User whose identification and password are being used to	
24	file this Stipulation And [Proposed] Order To Extend Deadline To Respond To Complaint And To	
25	Vacate Initial Case Management Conference. In compliance with Local Rule 5-1(i)(3), I hereby	
26	attest that counsel for plaintiff, Adam McCall, concurs in this filing.	
27	DATED: September 23, 2016.	
28		<u>/s/ Gilbert R. Serota</u> GILBERT R. SEROTA
	STIPULATION AND [PROPOSED] ORDER TO	- 2 - DEXTEND DEADLINE TO RESPOND Case No. 16-cv-3938-RS
	STIFULATION AND [FROPUSED] ORDER IC	DEATEND DEADLINE TO RESPOND Case INO. 10-09-3938-KS

1	[PROPOSED] ORDER	
2	Based on the parties' stipulation and the good cause described therein, the Court GRANTS	
3	this stipulation. Defendants' deadline to respond is 30 days after the appointed lead plaintiff for the	
4	putative class files a new or Amended Complaint. The initial case management conference set for shall be	
5	October 13 is vacated. continued to January 5, 2017. Joint case management statement due December 29, 2016.	
6	IT IS SO ORDERED.	
7		
8	DATED: <u>9/26/16</u> HON. RICHARD SEEBORG	
9	U.S. District Court Judge	
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
	- 3 -	
	STIPULATION AND [PROPOSED] ORDER TO EXTEND DEADLINE TO RESPOND Case No. 16-cv-3938-RS	