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11 Attorneys for Defendants THE CHARLES SCHWAB
 CORPORATION and
 12 CHARLES SCHWAB & CO., INC.

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16

17 ROBERT CRAGO, Individually And On Behalf
 Of All Others Similarly Situated,
 18
 19 Plaintiff,

20 v.

21 THE CHARLES SCHWAB CORPORATION,
 CHARLES SCHWAB & CO., INC., CHARLES
 R. SCHWAB, and WALTER W. BETTINGER
 22 II,
 23 Defendants.
 24
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Case No. 3:16-cv-3938-RS

**STIPULATION AND ~~PROPOSED~~
 ORDER TO SET DEADLINE FOR
 FILING NEW COMPLAINT AND
 SETTING BRIEFING SCHEDULE FOR
 MOTION TO DISMISS**

1 WHEREAS, pursuant to the PSLRA (*see* 15 U.S.C. §78u-4(a)(3)(i)(II)) and Civ. L.R. 23-
2 1(b), on November 2, 2016, the Court appointed Robert Wolfson and Frank Pino (“Plaintiffs”) as
3 lead plaintiffs of the putative class and Glancy Prongay & Murray LLP and Bragar Eigel & Squire,
4 P.C., as lead counsel for the putative class;

5 WHEREAS, Defendants The Charles Schwab Corp. and Charles Schwab & Co., Inc.
6 (collectively “Schwab”) have met and conferred with Plaintiffs’ counsel about filing a new
7 complaint and a briefing schedule for Schwab’s motion to dismiss;

8 WHEREAS, the parties have agreed to the following schedule for the filing of the new
9 complaint and for the briefing of Schwab’s motion to dismiss:

10	January 13, 2017:	Filing New Complaint
11	March 3, 2017:	Schwab’s Motion To Dismiss
12	April 14, 2017:	Plaintiffs’ Opposition to Schwab’s Motion
13	May 12, 2017:	Schwab’s Reply

14 WHEREAS, the Court continued the October 13, 2016 initial case management conference
15 until January 5, 2017, with a case management statement due December 29, 2017 (*see* Dkt. No. 24);

16 WHEREAS, pursuant to the PSLRA, 15 U.S.C. § 78i-4(b)(3)(B), discovery generally shall
17 be stayed during the pendency of a defendant’s anticipated motion to dismiss;

18 WHEREAS, the parties further agree that in light of the foregoing circumstances and in the
19 interest of judicial efficiency, administration and justice, as well as conservation of judicial and
20 private resources, the Initial Case Management Conference should be continued until after the Court
21 has decided Schwab’s motion to dismiss and there is an operative complaint on file;

22 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO**
23 **APPROVAL BY THIS COURT**, by these parties through their respective counsel of record, as
24 follows:

- 25 1. Plaintiffs’ deadline to file a new complaint will be January 13, 2017;
- 26 2. Schwab’s deadline to file its motion to dismiss will be March 3, 2017;
- 27 3. Plaintiffs’ deadline to file its opposition to Schwab’s motion will be April 14, 2017;
- 28 4. Schwab’s deadline to file its reply to its motion will be May 12, 2017;

1 5. The initial case management conference and all accompanying deadlines will be
2 continued until after the Court decides Schwab's motion to dismiss and there is an operative
3 complaint on file;

4 6. The parties do not seek to reset these dates for the purpose of delay. The proposed
5 new dates will not have an effect on any pre-trial and trial dates as the Court has yet to schedule
6 these dates.

7 SO STIPULATED.

8
9 Dated: November 15, 2016

ARNOLD & PORTER LLP

10
11 By: /s/ Gilbert R. Serota
12 GILBERT R. SEROTA

13 Attorneys for Defendant
14 CHARLES SCHWAB & COMPANY, INC.

15
16 Dated: November 15, 2016

BRAGAR EAGEL & SQUIRE P.C.

17
18 By: /s/ Brandon Walker
19 BRANDON WALKER

20 Attorneys for Plaintiffs
21 ROBERT WOLFSON AND FRANK PINO

22 Dated: November 15, 2016

GLANCY PRONGAY & MURRAY LLP

23
24 By: /s/ Joshua L. Crowell
25 JOSHUA L. CROWELL

26 Attorneys for Plaintiffs
27 ROBERT WOLFSON AND FRANK PINO
28

1 **ATTESTATION**

2 I, Gilbert R. Serota, am the ECF User whose identification and password are being used to
3 file this Stipulation And [Proposed] Order To Set Deadline For Filing New Complaint And Setting
4 Briefing Schedule For Motion To Dismiss. In compliance with Local Rule 5-1(i)(3), I hereby attest
5 that counsel for plaintiffs, Brandon Walker and Joshua Crowell, concur in this filing.
6

7 DATED: November 15, 2016

/s/ Gilbert R. Serota
GILBERT R. SEROTA

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10
11 **~~[PROPOSED]~~ ORDER**

12 Based on the parties' stipulation and the good cause described therein, the Court GRANTS
13 this stipulation. The following schedule shall apply:

14 January 13, 2017: Plaintiffs' Deadline To File A New Complaint
15 March 3, 2017: Schwab's Deadline To File A Motion To Dismiss
16 April 14, 2017: Plaintiffs' Deadline To File An Opposition to Schwab's
17 Motion
18 May 12, 2017: Schwab's Deadline To File Reply

19 The Court orders that the initial case management conference and all accompanying
20 deadlines will be continued until after the Court decides Schwab's motion to dismiss.

21 IT IS SO ORDERED.

22
23 DATED: 11/18/16



Hon. Richard Seeborg
U.S. District Court Judge