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15 *Counsel for Defendant Wells Fargo & Company*

16 [Additional Counsel on Signature Page]

17
 18 **UNITED STATES DISTRICT COURT**
 19 **NORTHERN DISTRICT OF CALIFORNIA**

20 GARY HEFLER, MARCELO MIZUKI, GUY)
 21 SOLOMONOV, and UNION ASSET)
 22 MANAGEMENT HOLDING AG, Individually)
 and on Behalf of All Others Similarly Situated,)
 23 Plaintiffs,)

24 vs.)

25 WELLS FARGO & COMPANY, JOHN G.)
 26 STUMPF, JOHN R. SHREWSBERRY, CARRIE)
 L. TOLSTEDT, TIMOTHY J. SLOAN, DAVID)
 27 M. CARROLL, DAVID JULIAN, HOPE A.)
 HARDISON, MICHAEL J. LOUGHLIN, AVID)
 28 MODJTABAI, JAMES M. STROTHER, JOHN D.)
 BAKER II, JOHN S. CHEN, LLOYD H. DEAN.)

Case No. 3:16-cv-05479-JST

**JOINT STIPULATION AND
 [PROPOSED] ORDER TO SET
 BRIEFING SCHEDULE**

The Hon. Jon S. Tigar

1 ELIZABETH A. DUKE, SUSAN E. ENGEL,)
 ENRIQUE HERNANDEZ JR., DONALD M.)
 2 JAMES, CYNTHIA H. MILLIGAN, FEDERICO)
 F. PEÑA, JAMES H. QUIGLEY, JUDITH M.)
 3 RUNSTAD, STEPHEN W. SANGER, SUSAN G.)
 SWENSON, and SUZANNE M. VAUTRINOT,)
 4)
 Defendants.)
 5)

6 WHEREAS, on January 5, 2017, the Court held a hearing on Plaintiff Union Asset
 7 Management Holding AG's ("Union" or "Lead Plaintiff") motion to consolidate the above captioned
 8 action to appoint Union as Lead Plaintiff, and to approve Union's selection of counsel for the class (Dkt.
 9 No. 29) (the "Lead Plaintiff Motion");

10 WHEREAS, on January 5, 2017, the Court granted the Lead Plaintiff Motion (Dkt. No.
 11 58);

12 WHEREAS, on November 21, 2016, the Court entered the parties' Joint Stipulation and
 13 [Proposed] Order to Enlarge Time to Respond to Complaint (Dkt. No. 23), which extended the time in
 14 which defendants Wells Fargo & Company, John G. Stumpf, John R. Shrewsberry, and Carrie Tolstedt
 15 (together, the "Original Defendants") could respond to any complaint in this action until 60 days after
 16 Lead Plaintiff filed a consolidated class action complaint;

17 WHEREAS, on January 11, 2017, the Lead Plaintiff and the Original Defendants
 18 (together, the "Original Parties") filed a Joint Stipulation and [Proposed] Order to Continue Case
 19 Management Conference and Set Briefing Schedule (Dkt. No. 63) (the "Initial Joint Stipulation");

20 WHEREAS, on January 11, 2017, the Court entered the Initial Joint Stipulation (Dkt. No.
 21 64), pursuant to which the Lead Plaintiff was to file a consolidated class action complaint on or before
 22 March 6, 2017; the Original Defendants are to respond to the consolidated class action complaint, by
 23 filing motions to dismiss or otherwise, on or before May 5, 2017; Lead Plaintiff is to file oppositions to
 24 the Original Defendants' motions to dismiss, if any, on or before July 7, 2017; and the Original
 25 Defendants are to file replies in support of their motions to dismiss, if any, on or before August 11,
 26 2017;

1 WHEREAS, on March 6, 2017, Lead Plaintiff and individual plaintiffs Gary Hefler,
2 Marcelo Mizuki, and Guy Solomonov (together, "Plaintiffs") filed a Consolidated Class Action
3 Complaint for Violations of the Federal Securities Laws (the "Consolidated Complaint") (Dkt. No. 72);

4 WHEREAS, the Consolidated Complaint for the first time asserts claims against 21 new
5 defendants who were not previously parties to this action: (1) Timothy J. Sloan, (2) David M. Carroll,
6 (3) David Julian, (4) Hope A. Hardison, (5) Michael J. Loughlin, (6) Avid Modjtabei, (7) James M.
7 Strother, (8) John D. Baker II, (9) John S. Chen, (10) Lloyd H. Dean, (11) Elizabeth A. Duke, (12)
8 Susan E. Engel, (13) Enrique Hernandez Jr., (14) Donald M. James, (15) Cynthia H. Milligan, (16)
9 Federico F. Peña, (17) James H. Quigley, (18) Judith M. Runstad, (19) Stephen W. Sanger, (20) Susan
10 G. Swenson, and (21) Suzanne M. Vautrinot (together, the "New Defendants");

11 WHEREAS, the New Defendants were not previously parties to this action and many of
12 them have only recently retained counsel for this action;

13 WHEREAS, counsel for Plaintiffs, the Original Defendants, and the New Defendants
14 have met and conferred and, in light of the large number of New Defendants and in order to coordinate
15 all briefing on the same schedule, have agreed to a revised briefing schedule for the Original
16 Defendants' and New Defendants' (together, "Defendants") forthcoming motions to dismiss the
17 Consolidated Class Action Complaint;

18 WHEREAS, the parties agree that nothing in this Stipulation will be construed as a
19 waiver of any of Defendants' or Plaintiff's rights or positions in law or in equity;

20 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, between
21 Plaintiffs, by and through their counsel, and Defendants, by and through their counsel, that:

- 22 1. Defendants shall respond to the Consolidated Class Action Complaint, by filing
23 motions to dismiss or otherwise, on or before June 19, 2017.
- 24 2. Plaintiffs shall file oppositions to Defendants' motions to dismiss, if any, on or
25 before August 21, 2017.
- 26 3. Defendants shall file replies in support of their motions to dismiss, if any, on or
27 before September 25, 2017.

1 Dated: May 3, 2017

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24 *Counsel for Defendant Wells Fargo &*
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26 Dated: May 3, 2017

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18 Dated: May 3, 2017

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15 Federico F. Peña, James H. Quigley,
16 Judith M. Runstad, Stephen W. Sanger,
17 Susan G. Swenson, and Suzanne M.
18 Vautrinot*

19 Dated: May 3, 2017
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42 *Liaison Counsel*

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Brendan P. Cullen, in compliance with General Order 45, Section X(B), hereby attest that I obtained the concurrence of all of the above-listed counsel in filing this document.

DATED: May 3, 2017

/s/ Brendan P. Cullen
Brendan P. Cullen

~~PROPOSED~~ ORDER

THE FOREGOING STIPULATION IS APPROVED AND IT IS SO ORDERED.

Dated: May 3, 2017



THE HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE

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