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25 UNITED STATES DISTRICT COURT  
 26 NORTHERN DISTRICT OF CALIFORNIA  
 27 SAN FRANCISCO DIVISION

28 BOARD OF RETIREMENT OF THE  
 29 IMPERIAL COUNTY EMPLOYEES'  
 30 RETIREMENT SYSTEM,

31 Plaintiff,

32 v.

33 FRANKLIN TEMPLETON INVESTOR  
 34 SERVICES, LLC, FRANKLIN/TEMPLETON  
 35 DISTRIBUTORS, INC., TEMPLETON  
 36 INSTITUTIONAL FUNDS, AND DOES 1  
 37 THROUGH 50,

38 Defendants.

Case No. 3:17-cv-01784-JCS

**SECOND STIPULATION AND  
~~PROPOSED~~ ORDER EXTENDING  
 DATE TO RE-FILE MOTION TO  
 DISMISS IN ORDER TO FINALIZE  
 PENDING SETTLEMENT**

Judge: The Hon. Jon S. Tigar  
 Courtroom: 9, 19<sup>th</sup> Floor

1           WHEREAS, on April 18, 2017, the above-captioned action was assigned to United States  
2 District Judge Jon S. Tiger. ECF 15;

3           WHEREAS, by Stipulation on April 18, 2017, the parties requested that the Court extend  
4 Defendants' time to re-file their motion to dismiss the Complaint ("the Motion"), previously filed  
5 before Magistrate Judge Joseph C. Spero, in order to facilitate the parties' settlement discussions;

6           WHEREAS, by Orders dated April 18, 2017 and April 25, 2017, this Court extended the  
7 time for the parties to submit a schedule for re-filing the Motion and for briefing thereon to May 26;

8           WHEREAS, the parties have reached a settlement in principle and wish to have an  
9 additional thirty (30) days to complete the settlement documentation and to perform the terms of  
10 such settlement.

11           NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the  
12 respective parties hereto, subject to the approval of the Court, that:

13           The parties shall have an additional 30 days from May 26, 2017 to June 26, 2017, to file a  
14 dismissal with prejudice or, in the event settlement is not finalized, a proposed extension or a  
15 proposed hearing date and briefing schedule for the Motion.

16           **SO STIPULATED.**

17 Dated: May 25, 2017

ARNOLD & PORTER KAYE SCHOLER LLP

19 By: \_\_\_\_\_/s/ Gilbert R. Serota

20 GILBERT R. SEROTA  
ALISON C. EPSTEIN

21 Attorneys for Defendants Franklin Templeton Investor  
22 Services, LLC, Franklin/Templeton Distributors Inc.,  
and Templeton Institutional Funds

24 Dated: May 25, 2017

HANSON BRIDGETT LLP

26 By: \_\_\_\_\_/s/ Raymond F. Lynch

27 RAYMOND F. LYNCH  
MATTHEW J. PECK

28 Attorneys for Board of Retirement of the Imperial  
County Employees; Retirement System

1 **~~PROPOSED~~ ORDER**


2 The parties having so stipulated and good cause appearing, **IT IS HEREBY ORDERED**  
3 that:

4 The parties shall have an additional thirty (30) days from May 26, 2017 to June 26, 2017, to  
5 file a dismissal with prejudice or, in the event settlement is not finalized, a proposed extension or a  
6 proposed hearing date and briefing schedule for the Motion.

7 The Court does not anticipate granting any further extensions.

8 **IT IS SO ORDERED.**

9  
10 DATED: June 8, 2017

11   
12 THE HONORABLE JON S. TIGAR  
13 UNITED STATES DISTRICT JUDGE