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8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

10 TONY PLANT, Individually and on Behalf
 11 of All Others Similarly Situated,

Case No. 3:17-cv-04102-RS

12 Plaintiff,

13 v.

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

14 JAGUAR ANIMAL HEALTH, INC.,
 15 JAGUAR HEALTH, INC., JAMES J.
 16 BOCHNOWSKI, LISA CONTE, JOHN
 17 MICEK III, and ARI AZHIR,

18 Defendants.

19 WHEREAS, this case was filed as a putative class action on July 20, 2017 by plaintiff Tony
 20 Plant (“Plaintiff”), alleging violations of Section 14(a) and Section 20(a) of the Securities
 21 Exchange Act of 1934 and related regulations with respect to disclosures in a joint proxy
 22 statement/prospectus (the “Proxy”) soliciting stockholder approval of a merger with Napo
 23 Pharmaceuticals, Inc.

24 WHEREAS, after the merger closed, on October 3, 2017, Plaintiff moved to be appointed
 25 lead plaintiff for the putative class and for appointment of his attorneys as lead counsel pursuant
 26 to the Private Securities Litigation Reform Act (“PSLRA”), 15 U.S.C. § 78u-4(a)(3)(B) (the
 27 “Motion”).

28 WHEREAS, on November 2, 2017, the Parties (Plaintiff and Defendants together) filed a
 Case Management Statement, scheduling Plaintiff to file an amended complaint within thirty days

1 after the entry of an Order on Plaintiff's Lead Motion, and Defendants to respond to the Amended
2 Complaint within sixty days after service.

3 WHEREAS, on December 11, 2017, the Court granted Plaintiff's Lead Motion.

4 WHEREAS, on January 10, 2018, Plaintiff filed his Amended Complaint.

5 WHEREAS, on March 12, 2018, Defendants filed a Motion to Dismiss pursuant to Federal
6 Rule of Civil Procedure 12(b)(6).

7 WHEREAS, the Court has entered a minute order setting the hearing on the Motion to
8 Dismiss on April 19, 2018 at 1:30 pm. Further, the Court set Plaintiff's response to be due by
9 March 26, 2018 and Defendants' reply by April 2, 2018.

10 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the undersigned
11 counsel for each of the parties hereto as follows:

- 12 1. Plaintiff shall file his response to the Motion to Dismiss on April 23, 2018;
- 13 2. Defendants shall file their reply to the Motion to Dismiss on May 14, 2018; and
- 14 3. The Court shall reset the hearing on the Motion to Dismiss from April 19, 2018 to the
15 next available date, which the parties understand to be on June 14, 2018 at 1:30 p.m.,
16 or such other date the Court deems appropriate.

17
18 DATED: March 13, 2018

Respectfully submitted,

19 /s/ David E. Bower

20 David E. Bower

21 **OF COUNSEL**

22 **MONTEVERDE & ASSOCIATES PC**

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Counsel for Plaintiff

Counsel for Plaintiff

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DATED: March 13, 2018

/s/ Pamela S. Palmer
Pamela S. Palmer


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-and-

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Counsel for Defendants

IT IS SO ORDERED.
Date: 3/15/18


RICHARD SEEBORG
United States District Judge