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[Additional counsel listed on following page]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

17 INCHEN HUANG, Individually and on Behalf of
All Others Similarly Situated,

18 Plaintiff,

19 v.

20 ASSERTIO THERAPEUTICS, INC., ARTHUR
 JOSEPH HIGGINS, JAMES A. SCHOENECK, and
 21 AUGUST J. MORETTI,

22 Defendants.

Case No. 3:17-cv-04830-JST

JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
DEADLINE FOR FILING SECOND
AMENDED COMPLAINT AND
BRIEFING SCHEDULE FOR
ANTICIPATED MOTION(S) TO DISMISS

23 Judge: Hon. Jon S. Tigar

1 WHEREAS, on August 18, 2017, Inchen Huang filed a federal securities class action lawsuit
2 against defendants Assertio Therapeutics, Inc. f/k/a Depomed, Inc., Arthur Higgins, James Schoeneck,
3 and August Moretti (collectively, the “Defendants”);

4 WHEREAS, on December 8, 2017, the Court entered an Order appointing the Depomed
5 Investor Group as Lead Plaintiff, and approving Levi & Korsinsky, LLP to serve as Lead Counsel
6 (ECF No. 52);

7 WHEREAS, on February 6, 2018 Lead Plaintiff filed its First Amended Complaint (ECF No.
8 61);

9 WHEREAS, on April 9, 2018 Defendants filed a Motion to Dismiss the First Amended
10 Complaint (ECF No. 66);

11 WHERAS, on March 18, 2019 the Court Granted Defendants’ Motion to Dismiss without
12 prejudice, and gave Lead Plaintiff 21 days to file a Second Amended Complaint (ECF No. 83);

13 WHEREAS, Lead Plaintiff anticipates filing a Second Amended Complaint and Defendants
14 anticipate moving to dismiss the anticipated Second Amended Complaint;

15 WHEREAS, Lead Plaintiff and Defendants have met and conferred regarding a schedule for
16 the filing of a second amended complaint and a briefing schedule for Defendants’ anticipated
17 motion(s) to dismiss.

18 NOW, THEREFORE, having met and conferred, Lead Plaintiff and Defendants have agreed
19 to and respectively submit, for approval by the Court, the following schedule for the filing of and
20 responding to an amended complaint:

- 21 1. Lead Plaintiff shall file a second amended complaint by May 2, 2019;
- 22 2. Defendants shall answer or otherwise respond to the second amended complaint by June
23 17, 2019;
- 24 3. If Defendants move to dismiss the amended complaint, Lead Plaintiff shall file its
25 opposition(s) by August 1, 2019;
- 26 4. Defendants shall file their replies in support of any motion(s) to dismiss by August 30,
27 2019;
- 28 5. Counsel for the parties shall meet and confer to agree on a proposed hearing date in

1 connection with the motion to dismiss the consolidated amended complaint, subject to the
2 Court's availability; and

3 6. The initial scheduling date set forth in the Court's March 18, 2019 Order, ECF No. 83, is
4 vacated.

5 IT IS SO STIPULATED.

6 DATED: March 29, 2019

LEVI & KORSINSKY, LLP

7
8 /s/ Adam C. McCall
9 Adam C. McCall (SBN 302130)
10 Adam M. Apton (SBN 316506)
11 Nicholas I. Porritt (admitted pro hac vice)

Attorneys for Lead Plaintiff and the Class

12 DATED: March 29, 2019

**WILMER CUTLER PICKERING
HALE & DORR LLP**

13
14 /s/ Michael A. Mugmon
15 Michael A. Mugmon (SBN: 251958)
16 Michael G. Bongiorno (admitted pro hac vice)

Attorney for Defendants

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18
19 DATED: April 2, 2019

20 
21 _____
22 HONORABLE JON S. TIGAR
23 UNITED STATES DISTRICT JUDGE
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1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing Joint
3 Stipulation and Proposed Order. In compliance with Local Rule 5-1(i)(3), I hereby attest that the other
4 signatories have concurred in this filing.

5 Dated: March 29, 2019

By: /s/ Adam C. McCall

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