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8 Attorneys for Defendants GoPro, Inc., Nicholas D.
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9 UNITED STATES DISTRICT COURT
10
11 NORTHERN DISTRICT OF CALIFORNIA
12
13 SAN FRANCISCO DIVISION

14 VIKAS ARORA, Individually and on Behalf of
All Others Similarly Situated,

15 Plaintiff,

16 v.

17 GOPRO, INC., NICHOLAS D. WOODMAN
AND BRIAN T. MCGEE,

18 Defendants.
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Case No.: 3:18-cv-00265-WHO

CLASS ACTION

**STIPULATION AND ORDER
EXTENDING DEFENDANTS' TIME
TO ANSWER OR OTHERWISE
RESPOND TO THE COMPLAINT
AND CONTINUING CASE
MANAGEMENT CONFERENCE AND
ASSOCIATED DEADLINES**

Date Action Filed: January 11, 2018

1 WHEREAS, on January 11, 2018, Plaintiff Vikas Arora (“Plaintiff”), individually and on
2 behalf of all others similarly situated, filed a putative class action complaint captioned *Arora v.*
3 *GoPro, Inc., et al.*, No. 3:18-cv-00265-WHO against defendants GoPro, Inc., Nicholas
4 Woodman, and Brian McGee (collectively, “Defendants” and with Plaintiff, the “Parties”)
5 alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934
6 (“Exchange Act”), 15 U.S.C. §§ 78j(b) and 78t(a), and Securities and Exchange Commission
7 (“SEC”) Rule 10b-5 promulgated thereunder, 17 C.F.R. § 240.10b-5 (the “Complaint”);

8 WHEREAS, on January 16, 2018, this Court issued an Order Setting Initial case
9 Management Conference and ADR Deadlines (Dkt. No. 6) in the above-captioned action, setting
10 the following deadlines:

- 11 1. **March 27, 2018** for the parties to comply with certain requirements under the
12 Federal Rules of Civil Procedure and the Northern District of California Civil
13 Local Rules (“Local Rules” or “Civ. L.R.”) and Alternative Dispute Resolution
14 (“ADR”) Local Rules regarding discovery, early settlement, and the ADR Multi-
15 Option Program;
- 16 2. **April 10, 2018** for the parties to file a Rule 26(f) Report, complete initial
17 disclosures or state objections in the Rule 26(f) Report, and file a Joint Case
18 Management Statement; and
- 19 3. **April 17, 2018 at 2:00 p.m.** for an initial case management conference;

20 WHEREAS, the Complaint asserts claims under the federal securities laws that are subject
21 to the Private Securities Litigation Reform Act of 1995, Pub. L. No. 104-67, 109 Stat. 737 (1995),
22 (“PSLRA”), which sets forth specialized procedures for the administration of securities class
23 actions, including a specific process for the appointment of a lead plaintiff and lead counsel to
24 represent the putative class;

25 WHEREAS, lead plaintiff and lead counsel have not yet been appointed pursuant to
26 Section 21D of the Securities Exchange Act, 15 U.S.C. § 78u-4. The deadline to move for
27 appointment as lead plaintiff is March 12, 2018;

1 WHEREAS, once selected, the lead plaintiff will then appoint a lead counsel, subject to
2 the Court's approval, § 78u-4(a)(3)(B)(v), and identify an operative complaint or file an amended
3 complaint that becomes the operative complaint;

4 WHEREAS, the Parties agree that in the interests of judicial economy, conservation of
5 time and resources, and orderly management of this action, no response to any pleading in this
6 action by any Defendant should occur until after (i) a lead plaintiff and lead counsel are appointed
7 by the Court pursuant to the PSLRA, and (iii) such lead plaintiff serves an operative complaint;

8 WHEREAS, the parties respectfully submit that good cause exists to vacate the April 17,
9 2018 initial case management conference and associated ADR deadlines until such time as the
10 Court has the opportunity to rule on the appointment of lead plaintiff and approval of lead
11 counsel; and

12 WHEREAS, the Parties hereby stipulate, and respectfully request the Court to order, as
13 follows:

14 1. Within 14 days of an order by the Court appointing lead plaintiff and lead counsel,
15 Defendants and any lead plaintiff(s) appointed by the Court shall, through their respective
16 counsel, confer and jointly submit a proposed schedule for the filing of any amended complaint
17 and for the filing of a responsive pleading, including a briefing schedule with respect to any
18 anticipated motions to dismiss;

19 2. Defendants shall not be required to answer, move, or otherwise substantively
20 respond to the Complaint or any amended complaint until the date agreed upon by the Parties in
21 the proposed schedule described in paragraph 1 above, if approved by the Court, or until such
22 other further order by the Court.

23 3. Pursuant to Civil L.R. 16-2, the initial case management conference scheduled for
24 April 17, 2018 shall be vacated, along with any associated deadlines under the Federal Rules of
25 Civil Procedure and Local Rules, to be rescheduled for a date after the filing of any amended
26 complaint or after the Court rules on Defendants' anticipated motion to dismiss, as the Court
27 determines to be appropriate; and all associated ADR Multi-Option Program deadlines likewise
28 be deferred.

4. Nothing in this Stipulation is intended in any way to waive or affect any rights, claims, defenses, objections or arguments that any party may have with respect to any matter, other than those expressly addressed and agreed in paragraphs 1 through 3 above.

Dated: January 19, 2018

FENWICK & WEST LLP

By: /s/ Catherine D. Kevane
Catherine D. Kevane

Attorneys for Defendants GoPro, Inc., Nicholas D. Woodman and Brian T. McGee

Dated: January 19, 2018

POMERANTZ LLP

By: /s/ Jennifer Pafiti
Jennifer Pafiti

Attorneys for Plaintiff Vikas Arora

Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in filing this stipulation.

Dated: January 19, 2018

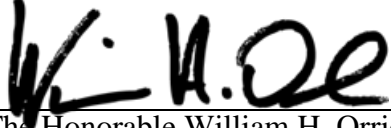
By: /s/ Catherine D. Kevane
Catherine D. Kevane

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 19, 2018


The Honorable William H. Orrick
United States District Judge