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7 Attorneys for Defendants  
 SUPER MICRO COMPUTER, INC., CHARLES  
 8 LIANG, and PERRY G. HAYES

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13 LOGAN HESSEFORT, individually and on  
 14 behalf of all others similarly situated,  
 15 Plaintiff,  
 16 v.  
 17 SUPER MICRO COMPUTER, INC.,  
 CHARLES LIANG, HOWARD  
 18 HIDESHIMA, and PERRY G. HAYES,  
 19 Defendants.

Case No. 3:18-CV-00838-JST

**JOINT STIPULATION AND  
 [PROPOSED] ORDER REGARDING  
 FILING OF AMENDED  
 COMPLAINT BY LEAD PLAINTIFF  
 AND OTHER DEADLINES  
 RELATED TO PLEADINGS**

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1           WHEREAS, on June 25, 2018, the parties stipulated to and filed with the Court a  
2 proposed schedule governing the deadlines related to pleadings in this matter, and on June 26,  
3 2018, the Court filed its order approving the June 25, 2018 Joint Stipulation (“June 26, 2018  
4 Scheduling Order”);

5           WHEREAS, on November 5, 2018, the parties stipulated to and filed with the Court a  
6 stipulation (“November 5, 2018 Joint Stipulation”), which provided that in the event the  
7 Company made an announcement on or before November 21, 2018 that its historical financials  
8 can no longer be relied upon and/or a restatement of historical financials is warranted, the parties  
9 shall present for the Court’s consideration a new proposed schedule for an amendment to the  
10 Consolidated Complaint and any response thereto to supersede the June 26, 2018 Scheduling  
11 Order, and otherwise, on or before November 21, 2018, the Defendants shall file and serve their  
12 responses to the Consolidated Complaint with briefing on any motion to dismiss to proceed as set  
13 forth in the June 26, 2018 Scheduling Order;

14           WHEREAS, on November 7, 2018, the Court filed its order approving the November 5,  
15 2018 Joint Stipulation;

16           WHEREAS, on November 15, 2018, the Company filed a Form 8-K with the U.S.  
17 Securities and Exchange Commission in which the Company announced that certain of the  
18 Company’s financial statements previously issued should no longer be relied upon because of  
19 errors, and that the Company intends to restate its financial statements for prior periods as  
20 required and provided preliminary estimates for changes in revenue (“November 15, 2018 Form  
21 8-K”);

22           WHEREAS, after meeting and conferring, in order to avoid the unnecessary expenditure  
23 of judicial resources or effort by the Court or the parties, the parties have agreed to a proposed  
24 schedule, subject to the Court’s approval, which will allow time for lead plaintiff to assess the  
25 November 15, 2018 Form 8-K and file an amended complaint;

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1 NOW THEREFORE, the undersigned parties, by and through their counsel of record,  
2 stipulate as follows:

- 3 1. Lead plaintiff shall file and serve an amended complaint no later than January 22,  
4 2019;
- 5 2. Defendants shall file and serve any answer or other response within forty-five (45)  
6 days of service of the amended complaint;
- 7 3. Lead plaintiff shall file and serve any opposition to any motion to dismiss filed by  
8 Defendants within forty-five (45) days of service of the motion to dismiss;
- 9 4. Defendants shall file and serve any reply brief in support of any motion to dismiss  
10 filed by Defendants within thirty (30) days of service of any opposition brief;
- 11 5. The Initial Case Management Conference remains adjourned to such other date  
12 and time as this Court shall order. Until the date of such Case Management Conference, the stay  
13 of discovery shall remain in place, subject to the parties' right to seek to lift the stay pursuant to  
14 15 U.S.C. §78u-4(b)(3)(B).

15  
16 DATED: November 21, 2018

JONES DAY

17 /s/ Stephen D. Hibbard

18 Stephen D. Hibbard

19 John C. Tang

Nathaniel P. Garrett

555 California Street, 26<sup>th</sup> Floor

San Francisco, CA 94104

Telephone: 415-875-5809

22 Counsel for Super Micro Computer, Inc.,  
23 Charles Liang, and Perry G. Hayes

24 DATED: November 21, 2018

PAUL HASTINGS LLP

26 /s/ Nicolas Morgan

27 Nicolas Morgan

D. Scott Carlton

515 South Flower Street, 25<sup>th</sup> Floor

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Los Angeles, CA 90072  
Telephone: 213-683-6181

Counsel for Defendant Howard Hideshima

DATED: November 21, 2018

ROBBINS GELLER RUDMAN & DOWD  
LLP

/s/ Daniel J. Pfefferbaum  
Shawn A. Williams  
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Counsel for Lead Plaintiff New York Hotel  
Trades Council & Hotel Association of New  
York City, Inc. Pension Fund

I, Stephen D. Hibbard, am the ECF User whose ID and password are being used to file this JOINT STIPULATION AND [PROPOSED] ORDER REGARDING FILING OF AMENDED COMPLAINT BY LEAD PLAINTIFF AND OTHER DEADLINES RELATED TO PLEADINGS. In compliance with Local Rule 5-1(i)(3), I hereby attest that counsel for Lead Plaintiff, Daniel J. Pfefferbaum, and Defendant Howard Hideshima, Nicolas Morgan, concur in this filing.

DATED: November 21, 2018

/s/ Stephen D. Hibbard  
Stephen D. Hibbard

\* \* \*

**[PROPOSED] ORDER**

IT IS SO ORDERED.

DATED: November 27, 2018

  
THE HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT JUDGE