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7 Attorneys for Defendants Quantum
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 10 **UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

11 STEVEN LAZAN, Individually and On Behalf of
 12 All Others Similarly Situated,

13 Plaintiff,

14 vs.

15 QUANTUM CORPORATION, FUAD
 AHMAD, JON W. GACEK, and ADALIO T.
 16 SANCHEZ,

17 Defendants.

Case No. 3:18-cv-00923-RS

CLASS ACTION

**STIPULATION AND [~~PROPOSED~~]
 ORDER TO EXTEND TIME TO
 RESPOND TO COMPLAINT AND
 POSTPONE CASE MANAGEMENT
 CONFERENCE AND
 RELATED DEADLINES**

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 STIPULATION AND [PROPOSED] ORDER
 TO EXTEND TIME TO RESPOND TO COMPLAINT
 CASE No.: 3:18 -CV-00923-RS

1 WHEREAS, on February 13, 2018, Plaintiff Steven Lazan, individually and on behalf of
2 all others similarly situated, filed a Class Action Complaint for Violations of the Federal
3 Securities Laws (“Complaint”) against Quantum Corporation (“Quantum”) and certain of its
4 current and former officers and directors, Jon Gacek, Fuad Ahmad, and Adalio T. Sanchez
5 (collectively, “Defendants”);

6 WHEREAS, Defendants waived service of the Complaint, and their responses to the
7 Complaint are currently due June 11, 2018;

8 WHEREAS, on February 13, 2018, the Court entered an Order Setting Initial Case
9 Management Conference and ADR Deadlines (ECF No. 3) (“CMC Order”) which, among other
10 things, set an Initial Case Management Conference (“Initial CMC”) for May 17, 2018;

11 WHEREAS, the CMC Order further set May 10, 2018 as the last day for the parties to
12 file a Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report, and
13 file a Case Management Statement per Standing Order re Contents of Joint Case Management
14 Statement, and set April 26, 2018 as the last day for the parties to meet and confer regarding
15 initial disclosures, early settlement, Alternative Dispute Resolution (“ADR”) process selection,
16 and a discovery plan, and file an ADR Certification with either a Stipulation to ADR Process or a
17 Notice of Need for ADR Phone Conference;

18 WHEREAS, this action is governed by the provisions of the Private Securities Litigation
19 Reform Act of 1995 (“PSLRA”), 15 U.S.C. §78u-4 *et seq.*, and the parties anticipate that the
20 Court will appoint a lead plaintiff and that the court-appointed lead plaintiff will file a
21 consolidated complaint superseding previously filed complaints, including the Complaint; and

22 WHEREAS, the parties agree that efficiency for the Court and the parties in proceeding
23 under the PSLRA dictates that responding to the current Complaint should be deferred.

24 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
25 respective parties hereto, that:

26 1. After the appointment of a lead plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B),
27 lead plaintiff and Defendants shall promptly meet and confer regarding a schedule for the filing

1 of a consolidated complaint or designation of an operative complaint, and a briefing schedule
2 for Defendants' anticipated motion(s) to dismiss. The parties shall submit a joint stipulation
3 with a proposed schedule no later than ten (10) business days following the appointment of lead
4 plaintiff.

5 2. Defendants shall not be required to move to dismiss, or otherwise respond to,
6 the Complaint in this action, and shall not be deemed to have waived any rights, arguments, or
7 defenses by waiting to respond, until such time as Defendants are required to respond pursuant
8 to the Court-approved schedule.

9 3. The parties request that the Court vacate the Initial CMC currently scheduled for
10 May 17, 2018, to be rescheduled to a later date at the Court's convenience, which will
11 accordingly continue all related deadlines set forth in the CMC Order.

12 4. This Stipulation is entered into without prejudice to any party seeking any
13 interim relief.

14 5. Nothing in this Stipulation shall be construed as a waiver of any of Defendants'
15 rights or positions in law or in equity, or as a waiver of any defenses that Defendants would
16 otherwise have, including, without limitation, jurisdictional defenses.

17 IT IS SO STIPULATED.

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19 Dated: April 12, 2018

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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21 By: /s/ Boris Feldman
Boris Feldman

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26 *Attorneys for Defendants Quantum Corporation,*
27 *Adalio T. Sanchez, and Fuad Ahmad*

1 Dated: April 12, 2018

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By: /s/ Jonathan R. Tuttle
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Attorneys for Defendant Jon Gacek

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8 Dated: April 12, 2018

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By: /s/ Jacob A. Walker
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Attorneys for Plaintiff Steven Lazan

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1 ~~PROPOSED~~ ORDER

2 **GOOD CAUSE HAVING BEEN SHOWN**, it is hereby ordered that:

3 1. After the appointment of a lead plaintiff pursuant to 15 U.S.C. §78u-4(a)(3)(B),
4 lead plaintiff and Defendants shall promptly meet and confer regarding a schedule for the filing
5 of a consolidated complaint or designation of an operative complaint, and a briefing schedule
6 for Defendants' anticipated motion(s) to dismiss. The parties shall submit a joint stipulation
7 with a proposed schedule no later than ten (10) business days following the appointment of lead
8 plaintiff.

9 2. Defendants shall not be required to move to dismiss, or otherwise respond to,
10 the Complaint in this action, and shall not be deemed to have waived any rights, arguments, or
11 defenses by waiting to respond, until such time as Defendants are required to respond pursuant
12 to the Court-approved schedule.

13 3. The Initial CMC currently set in this matter for May 17, 2018 is hereby vacated
14 and will be rescheduled at a later date consistent with the foregoing stipulation. All related
15 deadlines set forth in this Court's Order Setting Initial Case Management Conference and ADR
16 Deadlines (ECF No. 3) will be continued accordingly.

17 4. This Stipulation is entered into without prejudice to any party seeking any
18 interim relief.

19 5. Nothing in this Stipulation shall be construed as a waiver of any of Defendants'
20 rights or positions in law or in equity, or as a waiver of any defenses that Defendants would
21 otherwise have, including, without limitation, jurisdictional defenses.

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23 **IT IS SO ORDERED.**

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25 DATED: 4/18/18



HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE