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7 Attorneys for Defendants  
 THRESHOLD PHARMACEUTICALS, INC.,  
 8 HAROLD "BARRY" E. SELICK,  
 and JANET I. SWEARSON  
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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 OAKLAND DIVISION  
 13

14 JERRY TWINDE,

15 Plaintiff,

16 vs.

17 THRESHOLD PHARMACEUTICALS,  
 INC., HAROLD "BARRY" E. SELICK,  
 18 and JANET I. SWEARSON

19 Defendants.  
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Case No. CV-07-04972 CW

CLASS ACTION

**STIPULATION AND ORDER SETTING  
 SCHEDULE FOR DEFENDANTS'  
 RESPONSE TO PLAINTIFF'S  
 CONSOLIDATED SECOND AMENDED  
 COMPLAINT, AND RESCHEDULING  
 CASE MANAGEMENT CONFERENCE**

1 WHEREAS on July 11, 2008, the Court issued its order granting defendants' motion  
2 to dismiss plaintiff's Consolidated Amended Class Action Complaint, granting lead  
3 plaintiff's motion for leave to file an amended complaint within forty-five days, and setting  
4 a further case management conference on October 16, 2008 at 2:00 p.m.; and

5 WHEREAS on August 22, 2008, the Court entered a stipulated order providing lead  
6 plaintiff to and including September 19, 2008 to file a Consolidated Second Amended Class  
7 Action Complaint, and providing that, upon the filing of the Second Amended Complaint  
8 the parties shall submit a schedule for defendants' response to the Second Amended  
9 Complaint, and a briefing schedule for defendants' anticipated motion to dismiss which  
10 shall include a proposed date for a hearing and a further case management conference; and

11 WHEREAS on September 19, 2008, lead plaintiff timely filed the Consolidated  
12 Second Amended Class Action Complaint; and

13 WHEREAS counsel for defendants and counsel for lead plaintiff have met and  
14 conferred and agreed on a schedule for defendants' response to the Second Amended  
15 Complaint, a briefing schedule for defendants' anticipated motion to dismiss, and a  
16 proposed date for a hearing and a further case management conference; and

17 WHEREAS January 29, 2009 is presently showing as an available hearing date on  
18 the Court's website;

19 IT IS THEREFORE HEREBY STIPULATED and agreed by and among the  
20 undersigned counsel on behalf of their respective clients that, subject to Court order:

- 21 1. Defendants shall have to and including November 7, 2008 to file and serve their  
22 response to the Second Amended Complaint; and
- 23 2. If defendants respond by motion to dismiss, lead plaintiff shall have to and  
24 including December 15, 2008 to file and serve an opposition to defendants'  
25 motion, and defendants shall have to and including January 15, 2009 to file and  
26 serve a reply to lead plaintiff's opposition; and
- 27 3. The hearing on defendants' motion to dismiss plaintiff's Consolidated Second  
28 Amended Class Action Complaint shall be noticed for January 29, 2009 at 2:00

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p.m.; and

4. The case management conference currently scheduled for October 16, 2008 at 2:00 p.m. shall be continued to January 29, 2009 at 2:00 p.m.

SO STIPULATED.

DATED: September 29, 2008

HELLER EHRMAN LLP

By           /s/ Laurence A. Weiss

Laurence A. Weiss

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Menlo Park, California 94025-3506  
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Attorneys for Defendants  
THRESHOLD PHARMACEUTICALS, INC.,  
HAROLD "BARRY" E. SELICK,  
and JANET I. SWEARSON

DATED: September 29, 2008

COUGHLIN STOIA GELLER RUDMAN &  
ROBBINS LLP

By           /s/ Dennis J. Herman

Dennis J. Herman

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San Francisco, CA 94111  
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Attorneys for Lead Plaintiff

1 \* \* \*

2 I, Laurence A. Weiss, am the ECF User whose ID and password are being used to  
3 file this Stipulation And [Proposed] Order Continuing Hearing Date For Defendants'  
4 Motion To Dismiss Consolidated Amended Complaint And Case Management Conference.  
5 In compliance with General Order 45, X.B., I hereby attest that Dennis J. Herman has  
6 concurred in this filing.

7 /s/ Laurence A. Weiss

8 Laurence A. Weiss

9 \* \* \*

10 ORDER

11 PURSUANT TO STIPULATION, and good cause appearing,

- 12 1. Defendants shall have to and including November 7, 2008 to file and serve their  
13 response to the Second Amended Complaint; and  
14 2. If defendants respond by motion to dismiss, lead plaintiff shall have to and  
15 including December 15, 2008 to file and serve an opposition to defendants'  
16 motion, and defendants shall have to and including January 15, 2009 to file and  
17 serve a reply to lead plaintiff's opposition; and  
18 3. The hearing on defendants' motion to dismiss plaintiff's Consolidated Second  
19 Amended Class Action Complaint shall be noticed for January 29, 2009 at 2:00  
20 p.m.; and  
21 4. The case management conference currently scheduled for October 16, 2008 at  
22 2:00 p.m. shall be continued to January 29, 2009 at 2:00 p.m.

23 IT IS SO ORDERED.

24 9/30/08

25 DATED: \_\_\_\_\_



26 HONORABLE CLAUDIA WILKEN  
27 United States District Court Judge