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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MIKE A. LEYTE-VIDAL, Derivatively on
Behalf of Yahoo! Inc.,

Plaintiff,

v.

TERRY S. SEMEL, SUSAN L. DECKER,
ARTHUR H. KERN, JERRY YANG, DAVID
FILO, ERIC HIPPEAU, ROBERT A. KOTICK,
EDWARD R. KOZEL, ROY J. BOSTOCK,
GARY L. WILSON, RONALD W. BURKLE,
VYOMESH JOSHI, DANIEL L.
ROSENSWEIG, FARZAD NAZEM, and
MAGGIE WILDEROTTER,

Defendants,

-and-

YAHOO! INC., a Delaware Corporation,
Nominal Defendant.

DERIVATIVE ACTION

Case No. CV-08-02359-CW

**STIPULATION AND ORDER
SETTING BRIEFING SCHEDULE
FOR DEFENDANTS' MOTIONS
TO DISMISS THE SECOND
AMENDED VERIFIED
SHAREHOLDER DERIVATIVE
COMPLAINT **AS MODIFIED****

[Civil L.R. 6-1, 7-12]

STIPULATION

2 Pursuant to Civil Local Rules 6-1 and 7-12, Plaintiff Mike A. Leyte-Vidal, and
3 Defendants Terry S. Semel, Susan L. Decker, Arthur H. Kern, Jerry Yang, David Filo, Eric
4 Hippeau, Robert A. Kotick, Edward R. Kozel, Roy J. Bostock, Gary L. Wilson, Ronald W.
5 Burkle, Vyomesh Joshi, Daniel L. Rosensweig, Farzad Nazem, and Maggie Wilderotter, and
6 Nominal Defendant Yahoo!, Inc. (collectively, “Defendants”), through their undersigned counsel,
7 hereby stipulate, subject to the Court’s approval, as follows:

8 WHEREAS, on June 18, 2009, the Court granted Plaintiff's Motion for Leave to File
9 Second Amended Complaint (Docket No. 44);

10 WHEREAS, on June 23, 2009, Plaintiff filed his Second Amended Verified Shareholder
11 Derivative Complaint (the “Amended Complaint”) (Docket No. 46);

12 WHEREAS, Defendants intend to move to dismiss the Amended Complaint and require
13 additional time due to the length of the Amended Complaint and the complexity of the issues;

14 WHEREAS, the Court has granted one previous extension of time in this action pursuant
15 to a stipulation of the parties, enlarging the briefing schedule on Plaintiff's motion for leave to file
16 amended complaint (Docket No. 15).

17 NOW, THEREFORE, IT IS HEREBY STIPULATED:

18 1. Defendants shall file their motions to dismiss the Amended Complaint on or
19 before July 24, 2009.

20 2. Plaintiff shall file his oppositions to any motions to dismiss on or before August
21 26, 2009.

22 3. Defendants shall file their replies in support of their motions to dismiss on or
23 before September 10, 2009.

4. A hearing on Defendants' motions to dismiss shall be held on September 24, 2009.

26 | Dated: June 30, 2009

MORRISON & FOERSTER LLP

By: /s/ Anna Erickson White [e-filing signature]
Attorneys for Defendants and Nominal
Defendant Yahoo! Inc.

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2 Dated: June 30, 2009
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7 By: /s/ Brett M. Weaver [e-filing signature]
8 Attorneys for Plaintiff Mike A. Leyte-
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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Case Management Conference set for 8/14/09 is continued to 9/24/09 at 2:00 p.m. CMC statement due one week prior to conference.

Date: 7/14, 2009



CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE

ECF ATTESTATION

I, Samuel S. Song, am the ECF User whose ID and Password are being used to file:

**STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING SCHEDULE
FOR DEFENDANTS' MOTIONS TO DISMISS THE SECOND AMENDED
VERIFIED SHAREHOLDER DERIVATIVE COMPLAINT.**

In compliance with General Order 45, X.B., I hereby attest that Anna Erickson White and Brett M. Weaver have concurred in this filing.

Dated: June 30, 2009

MORRISON & FOERSTER LLP

By: /s/ Samuel S. Song [e-filing signature]