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6	Attorneys for Defendants Rackable Systems.	, Inc.,
7	Thomas K. Barton, Madhu Ranganathan and R. Ford	Todd
8		
9	UNITED STAT	TES DISTRICT COURT
10	NORTHERN DIS	TRICT OF CALIFORNIA
11	OAKLAND DIVISION	
12	IN RE RACKABLE SYSTEMS, INC. SECURITIES LITIGATION) Case No. C-09-0222-CW
13	SECURITIES ETHORHON) <u>CLASS ACTION</u>
14	THIS DOCUMENT RELATES TO: ALL ACTIONS.	STIPULATION AND ORDERCONTINUING CASE MANAGEMENT
15) CONFERENCE - AS MODIFIED)
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		STIPULATION AND [PROPOSED] ORDER CASE NO. C-09-0222-CW

1	WHEREAS, on April 5, 2010, the Court entered its Order granting Lead Plaintiffs' leave
2	to file their Supplemental Second Amended Complaint ("Second Amended Complaint");
3	WHEREAS, on April 9, 2010, Defendants moved to dismiss the Second Amended
4	Complaint;
5	WHEREAS, pursuant to the Court's April 5, 2010 Order, Lead Plaintiffs' opposition to
6	Defendants' motion is due May 12, 2010, Defendants' reply is due May 26, 2010, and the hearing
7	on the motion to dismiss is scheduled for June 3, 2010;
8	WHEREAS, a Case Management Conference is currently scheduled for May 11, 2010, at
9	2 p.m.;
10	WHEREAS, in light of Defendants' pending motion to dismiss and the discovery stay
11	imposed by the Private Securities Litigation Reform Act of 1995, the parties believe that the Case
12	Management Conference currently scheduled for May 11, 2010, should be continued until after
13	the hearing on Defendants' motion to dismiss;
14	NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
15	request that the Court enter an order, as follows:
16	1. That the Case Management Conference scheduled for May 11, 2010 is vacated,
17	and;
18	2. That a Case Management Conference is now set for June 22, 2010, at 2 p.m.
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20	<u>IT IS SO STIPULATED.</u>
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22	O'MELVENY & MYERS LLP
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24	Dated: May 6, 2010 By: /s/ Meredith N. Landy
25	Attorneys for Defendants Rackable Systems,
26	Inc., Thomas K. Barton, Madhu Ranganathan and Todd R. Ford
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1 2	GLANCY BINKOW & GOLDBERG LLP	
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4	Dated: May 6, 2010 By: /s/ Lionel Z. Glancy	
5	Michael Goldberg	
6	Attorneys for Lead Plaintiff	
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9	I, Meredith N. Landy, am the ECF User whose ID and password are being used to file this	
10	Stipulation and [Proposed] Order Regarding Scheduling Matters. In compliance with General	
11	Order 45, X.B., I hereby attest that Lionel Z. Glancy has concurred in this filing.	
12	By:	
13	Meredith N. Landy	
14		
15	<u>ORDER</u>	
16	PURSUANT TO STIPULATION, IT IS SO ORDERED. But see the Order of May 6:	
17	hearing on motion to dismiss must be rescheduled.	
18	DATED: May 10, 2010	
19	The Honorable Claudia Wilken	
20	United States District Judge	
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