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13 Co-Lead Counsel for Plaintiffs

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17	In re ACCURAY INC. SECURITIES)	Master File No. 4:09-cv-03362-CW
	LITIGATION)	
18	_____)	<u>CLASS ACTION</u>
)	
19	This Document Relates To:)	STIPULATION AND ORDER REGARDING
)	CONTINUANCE OF JANUARY 20, 2011
20	ALL ACTIONS.)	HEARING AND CASE MANAGEMENT
	_____)	CONFERENCE
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1 WHEREAS, on August 31, 2010, this Court dismissed plaintiffs' [Corrected] Consolidated
2 Class Action Complaint for Violations of the Federal Securities Laws in the above-captioned action,
3 with leave to amend;

4 WHEREAS, on October 4, 2010, plaintiffs filed their [Corrected] First Amended Class
5 Action Complaint for Violations of the Federal Securities Laws (the "FAC");

6 WHEREAS, defendants filed a motion to dismiss the FAC on October 14, 2010;

7 WHEREAS, plaintiffs filed their opposition to defendants' motion to dismiss on October 28,
8 2010;

9 WHEREAS, defendants filed their reply on November 4, 2010;

10 WHEREAS, defendants' motion was scheduled to be heard by the Court on November 18,
11 2010;

12 WHEREAS, by notice of this Court, the hearing was rescheduled to January 20, 2011;

13 WHEREAS, the parties are continuing settlement discussions with the assistance of the
14 Honorable Edward Infante (Ret.);

15 WHEREAS, in order to facilitate settlement efforts and conserve expenses and judicial
16 resources, the parties have met and conferred and agreed, subject to Court approval, to continue the
17 January 20, 2011 hearing and case management conference;

18 WHEREAS, the parties respectfully request that the hearing and case management
19 conference be rescheduled to February 17, 2011, or such a date thereafter which is convenient for the
20 Court;

21 WHEREAS, the requested continuance is not for the purpose of delay, promotes judicial
22 efficacy and will not prejudice any party;

23 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
24 undersigned, subject to Court approval, as follows:

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1 The January 20, 2011 hearing regarding defendants' motion to dismiss, and the January 20,
2 2011 case management conference shall be taken off calendar and rescheduled to February 17, 2011,
3 or such a date thereafter which is convenient for the Court.

4 DATED: January 4, 2011

ROBBINS GELLER RUDMAN
& DOWD LLP
SHAWN A. WILLIAMS
DANIEL J. PFEFFERBAUM

7
8 /s/ Daniel J. Pfefferbaum
DANIEL J. PFEFFERBAUM

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22 Co-Lead Counsel for Plaintiffs

23 DATED: January 4, 2011

WILSON SONSINI GOODRICH
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IGNACIO E. SALCEDA

24 /s/ Ignacio E. Salceda
25 IGNACIO E. SALCEDA

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Attorneys for Defendants

1 I, Daniel J. Pfefferbaum, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Regarding Continuance of January 20, 2011 Hearing and Case
3 Management Conference. In compliance with General Order No. 45, X.B., I hereby attest that
4 Ignacio E. Salceda has concurred in this filing.

5 /s/ Daniel J. Pfefferbaum
6 DANIEL J. PFEFFERBAUM

7 * * *

8 **ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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11 DATED: 1/6/2011

12 
13 THE HONORABLE CLAUDIA WILKEN
14 UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2011, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 4, 2011.

/s/ Daniel J. Pfefferbaum
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