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10 Attorneys for Defendants
 Accuray Inc., Euan S. Thomson,
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 Ted Tu, Wayne Wu, John R. Adler, Jr.,
 12 and Robert S. Weiss

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION
 17

18 In re ACCURAY INC. SECURITIES)
 LITIGATION)

CASE NO.: Master File No. 09-cv-
 03362-CW

19 _____)
 20 This Document Relates To:)

CLASS ACTION

21 ALL ACTIONS.)
 22)
 23)
 24)
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STIPULATION AND ORDER
 REGARDING CONTINUANCE OF
 MAY 6, 2010 HEARING AND CASE
 MANAGEMENT CONFERENCE - **AS
 MODIFIED**

1 WHEREAS, Defendants filed a motion to dismiss plaintiffs' [Corrected] Consolidated
2 Class Action Complaint for Violations of the Federal Securities Laws (the "Complaint") in the
3 above-captioned action (the "Action") on February 8, 2010;

4 WHEREAS, Plaintiffs filed their opposition to Defendants' motion to dismiss on April 1,
5 2010;

6 WHEREAS, pursuant to the Court's March 26, 2010 Order, Defendants' reply
7 memorandum in support of Defendants' motion to dismiss is due to be filed on April 22, 2010
8 and will be filed on that date;

9 WHEREAS, pursuant to the Court's March 26, 2010 Order, the hearing regarding
10 Defendants' motion to dismiss is currently set for May 6, 2010 (the "May 6, 2010 Hearing") and
11 a Case Management Conference is also set for May 6, 2010;

12 WHEREAS, the parties have agreed to schedule a private mediation to explore the
13 possibility of a resolution of the Action;

14 WHEREAS, the parties will endeavor to schedule the mediation promptly;

15 WHEREAS, in light of the foregoing, the parties would like to avoid unnecessary
16 litigation expenses and conserve judicial resources and have thus agreed, subject to Court
17 approval, to continue the May 6, 2010 Hearing and Case Management Conference;

18 WHEREAS, the parties respectfully request that the May 6, 2010 Hearing and Case
19 Management Conference be taken off calendar and re-set for a date convenient for the Court that
20 is at least ninety (90) days from May 6, 2010;

21 WHEREAS, the requested continuance is not for the purpose of delay, promotes judicial
22 efficiency 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:

25 1. Defendants shall file their reply memorandum on April 22, 2010 as set forth in the
26 Court's March 26, 2010 Order;

27 2. The May 6, 2010 Hearing regarding Defendants' motion to dismiss and May 6,
28 2010 Case Management Conference shall be taken off calendar and re-set for a date convenient

1 for the Court that is at least ninety (90) days from the May 6, 2010 Hearing.

2 Dated: April 16, 2010

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By: /s/ Ignacio E. Salceda
IGNACIO E. SALCEDA

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Attorneys for Defendants

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10 Dated: April 16, 2010

ROBBINS GELLER RUDMAN & DOWD

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By: /s/ Shawn A. Williams
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Co-Lead Counsel for Plaintiffs

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ORDER

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PURSUANT TO STIPULATION, IT IS SO ORDERED. **THE MOTION HEARING**

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AND CASE MANAGEMENT CONFERENCE ARE CONTINUED TO 8/12/2010 AT 2:00

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P.M.

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28 Dated: 4/20/2010


The Honorable Claudia Wilken
United States District Judge

