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10 Attorneys for Defendants
 Euan S. Thomson, Wayne Wu, Li Yu, Robert S.
 11 Weiss, Elizabeth Dávila, John P. Wareham,
 Robert E. McNamara, John R. Adler, Jr. and
 12 Nominal Defendant Accuray Incorporated

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

17 IN RE ACCURAY, INC. SHAREHOLDER)
 DERIVATIVE LITIGATION)
 18 _____)
 19 This Document Relates to:)
 20 ALL ACTIONS)
 21)
 22)
 23 _____)

Lead Case No. C 09 05580 CW
**STIPULATION AND ORDER
 CONTINUING THE HEARING
 DATE ON DEFENDANTS' MOTION
 TO DISMISS AND EXTENDING
 DEADLINE FOR DEFENDANTS'
 REPLY MEMORANDUM
 (AS MODIFIED)**

1 WHEREAS, on March 19, 2010, the Court entered an order regarding the filing of
2 plaintiffs' amended consolidated complaint and the parties' stipulated briefing schedule for
3 defendants' motion to dismiss;

4 WHEREAS, plaintiffs filed an amended consolidated complaint on April 8, 2010, and
5 Defendants moved to dismiss on May 10, 2010;

6 WHEREAS, the hearing date for defendants' motion to dismiss currently is set for July 1,
7 2010 at 2:00 p.m.;

8 WHEREAS, counsel for defendants has a scheduling conflict on July 1, 2010, and
9 defendants have therefore requested, and plaintiffs have agreed, subject to Court approval, to
10 continue the hearing date on defendants' motion to dismiss until August 5, 2010;

11 WHEREAS, defendants' reply memorandum in support of their motion to dismiss is
12 currently due to be filed on June 17, 2010;

13 WHEREAS, in light of the proposed continuance of the hearing date, defendants have
14 also requested, and plaintiffs have agreed, subject to Court approval, to extend the deadline for
15 defendants' reply memorandum in support of their motion to dismiss by one week to June 24,
16 2010;

17 NOW, THEREFORE, the parties, by and through their undersigned counsel of record,
18 hereby agree and stipulate, subject to Court approval, as follows:

19 1. The hearing on Defendants' motion to dismiss currently set for July 1, 2010 shall
20 be continued until August 5, 2010 at 2:00 p.m., or as soon thereafter as the matter may be heard;
21 and

22 2. Defendants shall file their reply memorandum in support of their motion to
23 dismiss by June 24, 2010.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. FURTHER CASE
MANAGEMENT CONFERENCE ALSO CONTINUED TO 8/5/2010 AT 2:00 P.M.

Dated: 6/24/2010



HONORABLE CLAUDIA WILKEN
United States District Judge

