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8 9 10 11 12	Attorneys for Defendants JOHN G. STUMPF, PHILIP J. QUIGLEY, JOHN S. CHEN, LLOYD H. DEAN, SUSAN FENGEL, ENRIQUE HERNANDEZ, JR., RICHARD D. McCORMICK, CYNTHIA H. MULLIGAN, NICHOLAS G. MOORE, DONALD B. RICE, JUDITH M. RUNSTAD, STEPHEN W. SANGER, and SUSAN G. SWENSON	Ξ.			
13	UNITED STATES DISTRICT COURT				
14	NORTHERN DISTRIC	CT OF CALIFORNIA			
15					
16	OAKLAND	DIVISION			
17					
18 19 20 21 22 23 24 25 26 27 28	J.N. FEUER, Derivatively on Behalf of WELLS FARGO & COMPANY and its Shareholders and "Double Derivatively" on Behalf of WACHOVIA CORPORATION,  Plaintiff,  v.  G. KENNEDY THOMPSON; THOMAS J. WURTZ; HERBERT SANDLER; MARION SANDLER; JOHN T. CASTEEN, III; JOSEPH NEUBAUER; MARYELLEN C. HERRINGER; TIMOTHY D. PROCTOR; VAN L. RICHEY; DONA DAVIS YOUNG; ERNEST S. RADY; JERRY GITT; JOHN D. BAKER, II; PETER C. BROWNING; DONALD M. JAMES; JOHN C. WHITTAKER, JR.; WILLIAM H. GOODWIN, JR.; ROBERT A. INGRAM; MACKEY J. MCDONALD; RUTH G. SHAW; LANTY L. SMITH; JOHN S.	No. 10-cv-00279 PJH  Action Filed: January 20, 2010  STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS TO RESPOND TO AMENDED COMPLAINT AND ESTABLISHING BRIEFING AND HEARING SCHEDULE FOR MOTIONS			

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CHEN; LLOYD H. DEAN; SUSAN E. ENGEL; ENRIQUE HERNANDEZ, JR.; RICHARD D. MCCORMICK; CYNTHIA H. MULLIGAN; NICHOLAS G. MOORE; PHILIP J. QUIGLEY; DONALD B. RICE; JUDITH M. RUNSTAD; STEPHEN W. SANGER; ROBERT K. STEEL; JOHN G. STUMPF; and SUSAN G. SWENSEN,

Defendants,

and

WELLS FARGO & COMPANY,

Nominal Defendant.

WHEREAS, Plaintiff filed the complaint on January 10, 2010;

WHEREAS, in a stipulation filed on March 11, 2010, Plaintiff's counsel represented that they intended to file an amended complaint and agreed that no response to the existing complaint would be required earlier than thirty (30) days after the filing of such amended complaint;

WHEREAS, Plaintiff filed the amended complaint on April 21, 2010;

WHEREAS, on May 21, 2010, plaintiff, fifteen (15) of the thirty-five (35) individual defendants and nominal defendant Wells Fargo & Company submitted a Stipulation and [Proposed] Order Extending Time for Defendants to Respond to Amended Complaint until July 16, 2010 which was entered by the Court on June 1, 2010;

WHEREAS, on June 17, 2010, plaintiff, thirty-two (32) of the thirty-five (35) individual defendants and nominal defendant Wells Fargo & Company filed a Joint Case Management Conference Statement with the Court and a Case Management Conference was held before Judge Hamilton on June 24, 2010;

WHEREAS, at the Case Management Conference, Judge Hamilton ordered the parties to meet and confer among themselves and with counsel for the remaining three unserved individual defendants to make a proposal as follows: (a) a coordinated single date for all defendants to answer, move or otherwise respond to the amended complaint, and (b) to the

STIP AND [PROPOSED] ORDER EXT TIME TO RESPOND TO AMENDED COMPLAINT 10-CV-00279PJH

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extent that any defendant responds to the amended complaint by motion, a coordinated briefing and hearing schedule so that all such motions may be briefed and heard by the Court at the same time;

WHEREAS, as reflected in the signature blocks below, the remaining three unserved individual defendants now have appeared and are represented by counsel; and

WHEREAS, the parties have complied with Judge Hamilton's Order and have met and conferred and agreed on the following coordinated schedule;

THEREFORE, the parties, by and through their undersigned counsel of record, hereby agree and stipulate to the following:

- 1. All defendants shall have until September 17, 2010 to answer, move or otherwise respond to the amended complaint;
- 2. To the extent that defendants respond by filing motions, plaintiff shall file any opposition on or before November 1, 2010 and defendants shall file any reply briefs on or before November 23, 2010; and
- 3. The hearing on any such motions shall be set for December 15, 2010 at 9:00 a.m. or at such other time as the Court shall order.

IT IS SO STIPULATED.

1	DATED: July 13, 2010.	GILBERT R. SEROTA SARAH A. GOOD
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6		By: /s/ Sarah A. Good SARAH A. GOOD
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9	. •	ENGEL, ENRIQUE HERNANDEZ, JR., RICHARD D. McCORMICK, CYNTHIA H. MULLIGAN, NICHOLAS G. MOORE, PHILIP J.
10	·	QUIGLEY, DONALD B. RICE, JUDITH M. RUNSTAD, STEPHEN W. SANGER, JOHN G.
11		STUMPF, and SUSAN G. SWENSON
12	DATED: July 13, 2010.	JONATHAN C. DICKEY GIBSON, DUNN & CRUTCHER LLP
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1	DATED: July 13, 2010.	PAUL T. FRIEDMAN ANNA ERICKSON WHITE
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17	DATED: July 13, 2010.	THOMAS O. JACOB
18		OFFICE OF GENERAL COUNSEL WELLS FARGO & COMPANY
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20		By: /s/ Thomas O. Jacob THOMAS O. JACOB
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1	DATED: July 13, 2010. RICHARD D. GREENFIELD		
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10	By: <u>/s/Richard D. Greenfield</u> RICHARD D. GREENFIELD		
11	Attorneys for Plaintiff		
12	J.N. FEŬER		
13	I Govern A. Considerate ECE was whose ID and password are being used to file the	nic	
14	I, Sarah A. Good, am the ECF user whose ID and password are being used to file this		
15	Joint Case Management Statement. In compliance with General Order 45, section X.B., I		
16	hereby attest that I have on file the concurrences for any signatures indicated by a		
17	"conformed" (/s/) within this efiled document.  DATED: July 13, 2010.  By: /s/ Sarah A. Good		
1.8	DATED: July 13, 2010. By:/s/ Sarah A. Good SARAH A. GOOD		
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20	PURSUANT TO STIPULATION, IT IS SO ORDERED.		
21	DATED: July 15 , 2010.		
22	IT IS SO ORDERED J. HAMILTON		
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24	Judge Phyllis J. Hamilton		
25	THRN DISTRICT OF CV.		
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