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 MULLIGAN, NICHOLAS G. MOORE,
 11 DONALD B. RICE, JUDITH M. RUNSTAD,
 STEPHEN W. SANGER, and SUSAN G.
 12 SWENSON

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

17 J.N. FEUER, Derivatively on Behalf of
 18 WELLS FARGO & COMPANY and its
 Shareholders and "Double Derivatively" on
 19 Behalf of WACHOVIA CORPORATION,

20 Plaintiff,

21 v.

22 G. KENNEDY THOMPSON; THOMAS J.
 WURTZ; HERBERT SANDLER; MARION
 23 SANDLER; JOHN T. CASTEEN, III;
 JOSEPH NEUBAUER; MARYELLEN C.
 24 HERRINGER; TIMOTHY D. PROCTOR;
 VAN L. RICHEY; DONA DAVIS YOUNG;
 25 ERNEST S. RADY; JERRY GITT; JOHN D.
 BAKER, II; PETER C. BROWNING;
 26 DONALD M. JAMES; JOHN C.
 WHITTAKER, JR.; WILLIAM H.
 27 GOODWIN, JR.; ROBERT A. INGRAM;
 MACKAY J. MCDONALD; RUTH G.
 28 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

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

9 Defendants,

10 and

11 WELLS FARGO & COMPANY,

12 Nominal Defendant.

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

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

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

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

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

27 WHEREAS, at the Case Management Conference, Judge Hamilton ordered the parties
28 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

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

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

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

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

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

17 IT IS SO STIPULATED.

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