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14 Attorneys for Defendants
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 16 JOHN S. CHEN, LLOYD H. DEAN, SUSAN E.
 17 ENGEL, ENRIQUE HERNANDEZ, JR.,
 18 RICHARD D. McCORMICK, CYNTHIA H.
 19 MULLIGAN, NICHOLAS G. MOORE,
 20 DONALD B. RICE, JUDITH M. RUNSTAD,
 21 STEPHEN W. SANGER, and SUSAN G.
 22 SWENSON

23 UNITED STATES DISTRICT COURT
 24 NORTHERN DISTRICT OF CALIFORNIA
 25 OAKLAND DIVISION

26 J.N. FEUER, Derivatively on Behalf of
 27 WELLS FARGO & COMPANY and its
 28 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;
 MACKAY J. MCDONALD; RUTH G.
 SHAW; LANTY L. SMITH; JOHN S.
 CHEN; LLOYD H. DEAN; SUSAN E.

No. 10-cv-00279 PJH

Action Filed: January 20, 2010

STIPULATION AND [PROPOSED]
 ORDER CONTINUING HEARING ON
 DEFENDANTS' MOTIONS TO
 DISMISS

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

8 Defendants,

9 and

10 WELLS FARGO & COMPANY,

11 Nominal Defendant.

12 WHEREAS, defendants have filed three motions to dismiss Plaintiff's Amended
13 Complaint which have been fully briefed (*see* Dkt. Nos. 47, 50 & 55 (the "Motions to
14 Dismiss"));

15 WHEREAS, on September 19, 2011, the Court entered an Order Vacating Stay and
16 Setting Hearing Date which indicated that the Court would hear arguments on the Motions to
17 Dismiss on Wednesday, December 14, 2011 at 9:00 a.m.;

18 WHEREAS, Plaintiff's counsel presently is unavailable on December 14, 2011 for the
19 hearing and has requested that the parties stipulate to continuing the hearing date in order to
20 accommodate his schedule;

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

- 23 1. The hearing on the Motions to Dismiss shall be continued from Wednesday,
24 December 14, 2011 at 9:00 a.m. until Wednesday, January 25, 2012 at 9:00 a.m. or
25 at such other time as the Court shall order.

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I, Sarah A. Good, am the ECF user whose ID and password are being used to file this Joint Case Management Statement. In compliance with General Order 45, section X.B., I hereby attest that I have on file the concurrences for any signatures indicated by a "conformed" (/s/) within this efiled document.

DATED: October 5, 2011.

By: /s/ Sarah A. Good
SARAH A. GOOD

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: October 11, 2011.

