

1 M. KIRBY C. WILCOX (SB# 78576) kirbywilcox@paulhastings.com
 2 JEFFREY D. WOHL (SB# 96838) jeffwohl@paulhastings.com
 3 ZACH HUTTON (SB# 234737) zachhutton@paulhastings.com
 4 PAUL, HASTINGS, JANOFSKY & WALKER LLP
 5 Twenty-Fourth Floor
 6 55 Second Street
 7 San Francisco, CA 94105-3441
 8 Telephone: (415) 856-7000
 9 Facsimile: (415) 856-7100

10 Attorneys for Defendant
 11 UBS FINANCIAL SERVICES INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 BROOKS LEWIS, on behalf of himself,
 15 all others similarly situated, and the
 16 general public,

17 Plaintiff,

18 vs.

19 UBS FINANCIAL SERVICES INC., a
 20 Delaware corporation, and DOES 1
 21 through 50 inclusive,

22 Defendants.

CASE NO. 4:10-CV-04867-SBA

**STIPULATION AND ORDER TO
 CONTINUE CASE MANAGEMENT
 CONFERENCE, PENDING MOTION TO
 COMPEL ARBITRATION**

23 LEGAL_US_W # 66894731.1

24 CASE NO. 4:10-CV-04867-SBA

25 STIPULATION AND [PROPOSED] ORDER TO
 26 CONTINUE CASE MANAGEMENT CONFERENCE

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STIPULATION

Plaintiff Brooks Lewis and Defendant UBS Financial Services, Inc. (“UBS”), acting through their respective counsel of record, hereby stipulate as follows:

1. The parties have a case management conference before the Court on February 2, 2011 at 3:00 p.m.

2. UBS plans to file a motion to compel arbitration of plaintiffs’ claims, once the court rules on the parties’ joint administrative motion to file materials under seal, which was filed on January 3, 2011. UBS intends to notice the motion compel arbitration for April 12, 2011, the first available date on the Court’s calendar.

3. Because the Court’s order on UBS’ motion to compel arbitration will determine whether some or all of the claims in the complaint are subject to arbitration, the parties believe it would be most efficient to postpone the case management conference, and the parties’ exchange of initial disclosures, until after the Court rules on the motion to compel arbitration.

4. Accordingly, the parties request that the Court take the February 2, 2011 conference off calendar, and reschedule the conference for a date after April 12, 2011. The parties propose that the Court set a deadline of May 9, 2011 for the parties to serve initial disclosures and file a case management conference statement, and that the case management conference take place in May 2011.

DATED: January __, 2011

PAUL, HASTINGS, JANOFSKY & WALKER LLP

By: _____
ZACH HUTTON

Attorneys for Defendant
UBS FINANCIAL SERVICES INC.

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DATED: January __, 2011

LAW OFFICES OF WILLIAM P. TORNGREN

By: _____
WILLIAM P. TORNGREN

Attorneys for Plaintiff
BROOKS LEWIS


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ORDER

On the stipulation of the parties, and good cause appearing therefor,

IT IS ORDERED that the February 2, 2011 case management conference in this matter is CONTINUED TO May 19, 2011 at 2:30 p.m. The parties shall **meet and confer** prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order For All Judges Of The Northern District Of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time. The parties are directed to serve initial disclosures and file a case management conference statement on May 9, 2011.

DATED: 1/18/11



Hon. Sandra Brown Armstrong
United States District Judge