

1 GIBSON, DUNN & CRUTCHER LLP
 2 PAUL J. COLLINS, SBN 187709
 3 pcollins@gibsondunn.com
 4 JACOB A. WALKER, SBN 271217
 5 jwalker@gibsondunn.com
 6 1881 Page Mill Road
 7 Palo Alto, California 94304
 8 Telephone: (650) 849-5300
 9 Facsimile: (650) 849-5333

10
 11 Attorneys for Richard G. Wolford, Mary R.
 12 Henderson, Timothy G. Bruer, Samuel H. Armacost,
 13 Terence D. Martin, Joe L. Morgan, David R.
 14 Williams, Victor L. Lund, Sharon L. McCollam

15 UNITED STATES DISTRICT COURT
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 17 OAKLAND DIVISION

18 DALLAS FAULKNER, Individually And On
 19 Behalf Of All Others Similarly Situated,

20 Plaintiff,

21 vs.

22 RICHARD G. WOLFORD, MARY R.
 23 HENDERSON, TIMOTHY G. BRUER,
 24 SAMUEL H. ARMACOST, TERENCE D.
 25 MARTIN, JOE L. MORGAN, DAVID R.
 26 WILLIAMS, VICTOR L. LUND, SHARON L.
 27 MCCOLLAM, BLUE MERGER SUB INC.,
 28 BLUE ACQUISITION GROUP, INC., DEL
 MONTE FOODS COMPANY,

Defendants

CASE NO. 4:11-CV-00326 CW

**STIPULATION AND ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE AND ASSOCIATED
 DEADLINES**

1 Pursuant to Civil Local Rules 6-2 and 7-12, plaintiff Dallas Faulkner, and defendants Del
2 Monte Foods Company (“Del Monte”), Blue Acquisition Group, Inc., Richard G. Wolford, Mary R.
3 Henderson, Timothy G. Bruer, Samuel H. Armacost, Terence D. Martin, Joe L. Morgan, David R.
4 Williams, Victor L. Lund, Sharon L. McCollam (the “Director Defendants”) in *Faulkner v. Wolford,*
5 *et al.*, No. C 11-00326 CW (the “*Faulkner Case*”), by and through their respective counsel of record,
6 hereby submit this Stipulation and Proposed Order seeking a nine week continuance of the Case
7 Management Conference and other associated deadlines set forth in the Court’s April 6, 2011 order in
8 the *Faulkner Case* scheduling a Case Management Conference for May 24, 2011.¹

9 WHEREAS, plaintiff filed a Motion to Appoint Lead Plaintiff and Lead Counsel and to
10 Consolidate *Heintz v. Wolford, et al.*, No. 10-CV-5789 CW and the *Faulkner Case* on April 11, 2011;
11 and

12 WHEREAS, the Court is currently scheduled to hear that motion on June 2, 2011; and

13 WHEREAS, plaintiff anticipates that the lead plaintiff to be appointed by the Court will file a
14 consolidated amended complaint following the June 2, 2011 hearing; and

15 WHEREAS, the parties are unaware of any other deadlines pending in this action that would
16 be adversely affected by this Stipulation.

17 NOW THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2,
18 subject to the approval of the Court, by and between the parties to this case, that:

19 1. The Case Management Conference, presently scheduled for May 24, 2011, is continued to
20 July 26, 2011 and the last day to file the case management statement is continued to July 19, 2011;
21 and

22 2. Defendants’ time to answer, move or otherwise respond to the Complaint in this action is
23 extended until a date to be agreed upon by the parties, or set by the Court, following the appointment
24 of a lead plaintiff. The parties shall negotiate in good faith to reach agreement on a schedule for the
25 _____


26 ¹ On April 5, 2011 the Court also issued an order in the related case *Heintz v. Wolford, et al.*, No.
27 10-CV-5789 CW adjourning that Case Management Conference and other associated deadlines
28 until May 24, 2011. Because no defendant has been served in that matter, it is not the subject of
this stipulation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 4, 2011


The Honorable Claudia Wilken
United States District Judge

