

1 Andrew F. Pierce, Esq. (CA Bar No. 101889)
 2 Stacy Y. North, Esq. (CA Bar No. 219034)
 3 PIERCE & SHEARER LLP
 4 2200 Geng Road, Suite 230
 5 Palo Alto, CA 94303
 6 Telephone: (650) 843-1900
 7 Facsimile: (650) 843-1999
 8 Attorneys for Plaintiffs

9
 10 **IN THE UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **OAKLAND DIVISION**

13 MINNA TAO, an individual; GABRIEL LI, an
 14 individual; PETER SUN, an individual,
 15 VICKY ENG, an individual; ANDREW YAN,
 16 an individual; HERMAN WONG, an
 17 individual; ELLEN CHIU-YEE, an individual;
 18 WAI-HANG YEUNG, an individual; DEBBY
 19 WU, an individual; DORA LAU, an
 20 individual; TYLER LIVINGSTON, an
 21 individual; JOEL BEEM, an individual;
 22 RAYMOND TUNG, an individual; REGINA
 23 CHAN, an individual; ANDREA HO, an
 24 individual; RANDEL HOM, an individual; and
 25 SIMON LEE an individual,

26 Plaintiffs,

27 v.

28 TOMMY WU, an individual; DOREEN HO,
 an individual; DENNIS LEE, an individual;
 JONAS MILLER, an individual; EBRAHIM
 SHABUDDIN, an individual; BURT
 THOMPSON, an individual; VIOLA
 LUCERO, an individual; and DOES 1 through
 30,

Defendants.

Case No. CV 11-03248 PJH

STIPULATION AND [PROPOSED]
 ORDER GRANTING PLAINTIFFS
 LEAVE TO FILE SECOND AMENDED
 COMPLAINT AND CONTINUING CASE
 MANAGEMENT CONFERENCE

PIERCE & SHEARER LLP
 2200 Geng Road, Suite 230, Palo Alto, CA 94303
 PHONE (650) 843-1900 • FAX (650) 843-1999

STIPULATION AND [PROPOSED] ORDER GRANTING PLAINTIFFS LEAVE TO FILE SECOND
 AMENDED COMPLAINT AND CONTINUING CASE MANAGEMENT CONFERENCE

1 This Stipulation is made by and between plaintiffs MINNA TAO, GABRIEL LI, PETER
2 SUN, VICKY ENG, ANDREW YAN, HERMAN WONG, ELLEN CHIU-YEE, WAI-HANG
3 YEUNG, DEBBY WU, DORA LAU, TYLER LIVINGSTON, JOEL BEEM, RAYMOND
4 TUNG, REGINA CHAN, ANDREA HO, RANDEL HOM, and SIMON LEE (“Plaintiffs”) and
5 defendants DENNIS LEE, JONAS MILLER, EBRAHIM SHABUDDIN, BURTON
6 THOMPSON, and VIOLA LUCERO (“Defendants”) by and through their respective counsel of
7 record, with respect to the following facts:
8

9 WHEREAS Plaintiffs filed a Complaint on June 30, 2011;

10 WHEREAS Plaintiffs amended their Complaint on July 6, 2011;

11 WHEREAS Defendants Dennis Lee, Jonas Miller, and Burton Thompson filed a Motion
12 to Dismiss Plaintiffs’ First Amended Complaint on September 16, 2011, and Defendant Ebrahim
13 Shabuddin joined in the Motion to Dismiss;
14

15 WHEREAS Defendants’ Motion to Dismiss is set for hearing on January 11, 2012 and
16 Defendants’ Motion to Dismiss, if granted, may dispose of Plaintiffs’ claims against the moving
17 defendants in their entirety;
18

19 WHEREAS Plaintiffs recently served defendant Viola Lucero with the First Amended
20 Complaint and Viola Lucero is within the 30 day window to respond to the First Amended
21 Complaint;

22 WHEREAS Plaintiffs have learned that members of the UCBH Holdings, Inc.
23 Compensation Committee may be responsible for the fiduciary breaches alleged by Plaintiffs in
24 their First Amended Complaint and Plaintiffs wish to amend their Complaint to name those
25 individuals as additional defendants;
26

27 WHEREAS Defendants do not oppose Plaintiffs having an opportunity to amend their
28 Complaint to add these additional defendants;

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

WHEREAS the initial case management conference in this case is currently set for December 8, 2011;

THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel of record as follows:

- (1) Plaintiffs may file a Second Amended Complaint in the form attached hereto; and
- (2) ~~The initial case management conference, currently set for December 8, 2011, shall be continued to a date after the Court's ruling on Defendants' Motion to Dismiss, currently set for hearing on January 11, 2012.~~
- (3) The parties shall exchange their initial disclosures within 14 days after the parties' Rule 26(f) conference, which shall take place at least 21 days before the initial case management conference.

Dated: December 1, 2011

Respectfully Submitted,
PIERCE & SHEARER, LLP

By: /s/ Stacy Y. North
Stacy Y. North
Attorney for PLAINTIFFS

Dated: December 1, 2011

Respectfully Submitted,
TRUCKER HUSS

By: /s/ R. Bradford Huss
R. Bradford Huss
Attorneys for DEFENDANTS
Dennis Lee, Jonas Miller, Burton Thompson
and Viola Lucero

///
///
///
///

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

Dated: December 1, 2011

Respectfully Submitted,

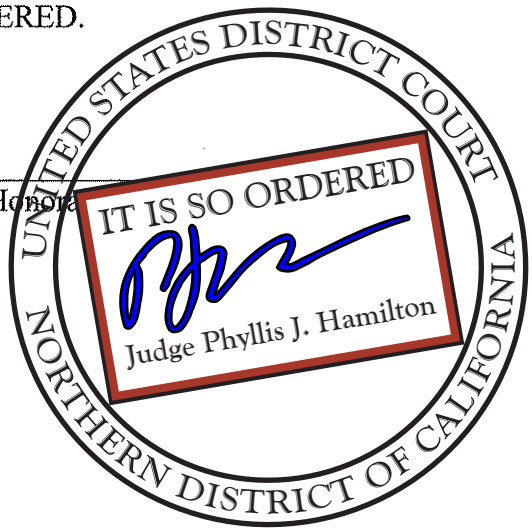
ROPER MAJESKI KOHN & BENTLEY

By: /s/ Spencer Martinez
Spencer Martinez
Attorneys for DEFENDANT
Ebrahim Shabuddin

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/8/11

By: _____
The Honorable



PIERCE & SHEARER LLP
2200 Geng Road, Suite 230, Palo Alto, CA 94303
PHONE (650) 843-1900 • FAX (650) 843-1999