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9 Attorneys for defendants NeurogesX, Inc., Anthony A. DiTonno
 and Stephen F. Ghiglieri

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

MARITIME ASSET MANAGEMENT, LLC, on
 Behalf of Itself and All Others Similarly
 Situated,
 Plaintiff,
 v.
 NEUROGESX, INC., ANTHONY A.
 DITONNO, STEPHEN F. GHIGLIERI, and
 JEFFREY K. TOBIAS, M.D.,
 Defendants.

Case No. CV 12-05034-YGR
**ORDER GRANTING
 STIPULATION AND ~~[PROPOSED]~~
~~ORDER REGARDING BRIEFING~~
 SCHEDULE FOR MOTIONS IN
 RESPONSE TO SECOND
 AMENDED CLASS ACTION
 COMPLAINT**

1 **STIPULATION**

2 Pursuant to Local Rules 6-2 and 7-12, Plaintiff Maritime Asset Management, LLC and
3 Defendants NeurogesX, Inc., Anthony DiTonno, Stephen Ghiglieri, and Dr. Jeffrey Tobias,
4 through their respective counsel, submit the following stipulation and proposed order.

5 WHEREAS, on September 30, 2013, the Court granted Defendants’ motions to dismiss
6 the First Amended Class Action Complaint with leave to amend;

7 WHEREAS, on October 29, 2013, Plaintiff filed a Second Amended Class Action
8 Complaint;

9 WHEREAS, the parties desire to agree on a schedule for the briefing of motions to
10 dismiss the Second Amended Class Action Complaint that will accommodate the schedules of
11 counsel;

12 WHEREAS, a Case Management Conference is currently scheduled for Monday, January
13 13, 2014 at 2:00 p.m.;

14 WHEREAS, this action is governed by the Private Securities Litigation Reform Act of
15 1995, 15 U.S.C. § 78u-4 *et seq.* (the “Reform Act”), which imposes a stay of discovery until any
16 motion to dismiss the complaint is resolved;

17 WHEREAS, in light of the Reform Act’s stay of discovery, the parties do not believe that
18 a Case Management Conference would be productive until after Defendants’ motions to dismiss
19 have been resolved;

20 NOW THEREFORE, the parties hereby stipulate, subject to the approval of the Court, to
21 the following:

22 1. Defendants shall file an answer, move, or otherwise respond to the Second Amended
23 Class Action Complaint on or before December 13, 2013.

24 2. If Defendants file motions to dismiss the Second Amended Class Action Complaint,
25 Plaintiff shall file an opposition to Defendants’ motions on or before January 17, 2014.

26 3. If Defendants file motions to dismiss the Second Amended Class Action Complaint,
27 Defendants shall file a reply on or before February 4, 2014.

1 4. If Defendants file motions to dismiss the Second Amended Class Action Complaint,
2 Defendants shall notice their motions for hearing on February 25, 2014 at 2:00 p.m.

3 5. The January 13, 2014 Case Management Conference will be taken off calendar;

4 6. Within fourteen (14) days of the Court's order ruling on the motions to dismiss, the
5 parties will meet and confer and propose to the Court a date for a Case Management Conference.

6
7 Dated: November 14, 2013

MORRISON & FOERSTER LLP

8
9 By: /s/ Kevin A. Calia

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15 Attorneys for defendants
16 *NeurogesX, Inc.; Anthony DiTonno; Stephen F.*
17 *Ghiglieri*

18
19 Dated: November 14, 2013

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20
21 By: /s/ Nicholas I. Porritt

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Attorneys for Plaintiff
Maritime Asset Management, LLC

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Dated: November 14, 2013

COOLEY LLP

By: /s/ Angela L. Dunning

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Attorneys for defendant
Jeffrey K. Tobias, M.D.

[PROPOSED] ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, IT IS SO ORDERED.

Dated: November 18, 2013


Honorable Yvonne Gonzalez Rogers

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ECF ATTESTATION

I, Kevin A. Calia, am the ECF User whose ID and Password are being used to file this:

**STIPULATION AND [PROPOSED] ORDER REGARDING
BRIEFING SCHEDULE FOR MOTIONS IN RESPONSE TO
SECOND AMENDED CLASS ACTION COMPLAINT**

In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Nicholas I. Porritt and
Angela L. Dunning have concurred in this filing.

Dated: November 14, 2013

MORRISON & FOERSTER LLP

By: /s/ Kevin A. Calia