

1 MICHAEL D. TORPEY (State Bar No. 79424)
JAMES N. KRAMER (State Bar No. 154709)
2 CHRISTIN J. HILL (State Bar No. 247522)
ORRICK, HERRINGTON & SUTCLIFFE LLP
3 The Orrick Building
405 Howard Street
4 San Francisco, CA 94105-2669
Telephone: (415) 773-5700
5 Facsimile: (415) 773-5759
Email: mtorpey@orrick.com
6 jkramer@orrick.com
chill@orrick.com
7 *Attorneys for Defendants Violin Memory Inc., Cory Joseph*
Sindelar, Donald Basile, Dixon Raymond Doll Jr., Jeffrey J.
8 *Newman, Howard Allen Bain III, Lawrence J. Lang, David*
Bradley Walrod, and Mark Neal Rosenblatt

9 PATRICK E. GIBBS (State Bar No. 183174)
10 JULIAN W. PARK (State Bar No. 263501)
LATHAM & WATKINS LLP
11 140 Scott Drive
Menlo Park, CA 94025
12 Telephone: (650) 463-3013
Facsimile: (650) 463-2600
13 Email: patrick.gibbs@lw.com
julian.park@lw.com
14 *Attorneys for Defendants J.P. Morgan Securities LLC, Deutsche*
Bank Securities Inc., Merrill Lynch, Barclays Capital Inc.,
15 *Robert W. Baird & Co. Inc., Pacific Crest Securities LLC, and*
EM Securities LLC

16 LAURENCE D. KING (State Bar No. 206423)
17 MARIO M. CHOI (State Bar No. 243409)
KAPLAN FOX & KILSHEIMER LLP
18 350 Sansome Street, Suite 400
San Francisco, CA 94104
19 Telephone: (415) 772-4700
Facsimile: (415) 772-4707
20 Email: lking@kaplanfox.com
mchoi@kaplanfox.com

21 -and
JEFFREY P. CAMPISI (admitted *pro hac vice*)
22 KAPLAN FOX & KILSHEIMER LLP
850 Third Avenue
23 New York, NY 10022
Telephone: (212) 687-1980
24 Facsimile: (212) 687-7714
Email: jcampisi@kaplanfox.com
25 -and

26
27
28 STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING HEARING DATE
CASE NO. 4:13-05486-YGR

1 NICHOLAS I. PORRITT (admitted *pro hac vice*)
ADAM M. APTON (admitted *pro hac vice*)
2 LEVI & KORSINSKY LLP
1101 30th Street NW, Suite 115
3 Washington, DC 20007
Tel: (202) 524-4290
4 Fax: (202) 337-1567
Email: nporritt@zlk.com
5 aapton@zlk.com
Attorneys for Lead Plaintiffs Ali Shehk and
6 Alan Richards, and the Proposed Class

7
8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA
11
12 OAKLAND DIVISION

12 In re VIOLIN MEMORY, INC.,
13 SECURITIES LITIGATION

Master File No.: 4:13-cv-05486-YGR

14 **STIPULATION AND ~~PROPOSED~~**
ORDER REGARDING HEARING
DATE

15 Judge: Hon. Yvonne Gonzalez Rogers
16
17
18
19

1 This Stipulation is entered into by and among plaintiffs Ali Shehk and Alan Richards
2 (together, "Plaintiffs") and defendants Violin Memory, Inc., Donald G. Basile, Cory J. Sindelar,
3 Dixon R. Doll Jr., Howard A. Bain III, Larry J. Lang, Jeff J. Newman, Mark N. Rosenblatt, David
4 B. Walrod, J.P. Morgan Securities LLC, Deutsche Bank Securities Inc., Merrill Lynch, Pierce
5 Fenner & Smith Incorporated, Barclays Capital Inc., Robert W. Baird & Co. Incorporated, Pacific
6 Crest Securities, LLC, and EM Securities, LLC (collectively, "Defendants") through their
7 attorneys of record.

8 WHEREAS, on November 21, 2014, Plaintiffs filed the Amended Consolidated Class
9 Action Complaint (Doc. No. 90);

10 WHEREAS, pursuant to the Court's November 12, 2014 Order (Doc. No. 89), the motion
11 to dismiss hearing is currently scheduled for February 24, 2015;

12 WHEREAS, lead counsel for the Violin Memory Defendants, James N. Kramer, is
13 scheduled to be in New York on February 24, 2015 for another matter;

14 WHEREAS, the parties have agreed and stipulated to a new motion to dismiss hearing
15 date of March 24, 2015.

16 IT IS SO STIPULATED.
17
18
19
20
21
22
23
24
25
26
27
28

1 Dated: December 19, 2014

MICHAEL D. TORPEY
JAMES N. KRAMER
CHRISTIN J. HILL
ALEXIS YEE-GARCIA
Orrick, Herrington & Sutcliffe LLP

2
3
4
5 /s/ Christin J. Hill

6 Christin J. Hill
7 *Attorneys for Defendants Violin Memory Inc., Cory*
8 *Joseph Sindelar, Donald Basile, Dixon Raymond*
9 *Doll Jr., Jeffrey J. Newman, Howard Allen Bain III,*
10 *Lawrence J. Lang, David Bradley Walrod, and Mark*
11 *Neal Rosenblatt*

12 Dated: December 19, 2014

PATRICK E. GIBBS
JULIAN W. PARK
Latham & Watkins LLP

13 /s/ Patrick E. Gibbs

14 PATRICK E. GIBBS
15 *Attorneys for Defendants J.P. Morgan Securities*
16 *LLC, Deutsche Bank Securities Inc., Merrill Lynch,*
17 *Barclays Capital Inc., Robert W. Baird & Co. Inc.,*
18 *Pacific Crest Securities LLC, and*
19 *EM Securities LLC*

20 *I, Christin J. Hill, am the ECF user whose ID and password are being used to file this*
21 *Stipulation and [Proposed] Scheduling Order. In compliance with General Order 45, X.B., I*
22 *hereby attest that Patrick E. Gibbs has concurred in this filing.*

23 Dated: December 19, 2014

24 LAURENCE D. KING
25 JEFFREY P. CAMPISI
26 MARIO M. CHOI
27 Kaplan Fox & Kilsheimer LLP

28 /s/ Jeffrey P. Campisi

JEFFREY P. CAMPISI
Attorneys for Lead Plaintiffs

I, Christin J. Hill, am the ECF user whose ID and password are being used to file this
Stipulation and [Proposed] Scheduling Order. In compliance with General Order 45, X.B., I
hereby attest that Jeffrey P. Campisi has concurred in this filing.

1 Dated: December 19, 2014

NICHOLAS I. PORRITT
ADAM M. APTON
Levi & Korsinsky LLP

2
3
4 /s/ Adam M. Apton
ADAM M. APTON
Attorneys for Lead Plaintiffs
5
6

7 *I, Christin J. Hill, am the ECF user whose ID and password are being used to file this*
8 *Stipulation and [Proposed] Scheduling Order. In compliance with General Order 45, X.B., I*
9 *hereby attest that Adam M. Apton has concurred in this filing.*
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

~~[PROPOSED]~~ ORDER

Pursuant to the Stipulation reached by the parties, and good cause appearing, the Court
ORDERS that the hearing on Defendants' motion to dismiss the amended consolidated complaint
shall be moved to March 24, 2015.

Dated: December 22, 2014



HON. YVONNE GONZALEZ ROGERS
DISTRICT JUDGE