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6 Attorneys for Defendants
 W. DENMAN VAN NESS, WILLIAM K. BOWES, JR.,
 7 PETER BARTON HUTT, JOSEPH M. LIMBER,
 KELVIN M. NEU, PATRICK J. SCANNON,
 8 JOHN VARIAN, TIMOTHY P. WALBERT,
 PAUL D. RUBIN AND JACK L. WYSZOMIERSKI
 9 and Nominal Defendant XOMA CORPORATION

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 11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
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15 DEBORAH A. FIESER, derivatively on
 16 behalf of XOMA CORPORATION,

17 Plaintiff,

18 v.

19 W. DENMAN VAN NESS, WILLIAM K.
 BOWES, JR., PETER BARTON HUTT,
 20 JOSEPH M. LIMBER, KELVIN M. NEU,
 PATRICK J. SCANNON, JOHN
 21 VARIAN, TIMOTHY P. WALBERT,
 PAUL D. RUBIN AND JACK L.
 22 WYSZOMIERSKI and Nominal Defendant
 XOMA CORPORATION,

23 Defendants.
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Case No. 4:15-CV-05236-KAW

**STIPULATION TO EXTEND TIME FOR
 DEFENDANTS TO RESPOND TO
 COMPLAINT AND RESCHEDULE CASE
 MANAGEMENT CONFERENCE**

Judge: Honorable Kandis A. Westmore

1 Pursuant to Civil Local Rules 6-1, 6-2, and 7-12 Plaintiff Deborah A. Fieser (“Plaintiff”)
2 and Defendants W. Denman Van Ness, William K. Bowes, Jr., Peter Barton Hutt, Joseph M.
3 Limber, Kelvin M. Neu, Patrick J. Scannon, John Varian, Timothy P. Walbert, Paul D. Rubin,
4 Jack L. Wyszomierski, and Nominal Defendant XOMA Corporation (collectively,
5 “Defendants”), by and through their respective counsel, hereby agree and stipulate that good
6 cause exists to request an order from the Court extending Defendants’ deadline to respond to the
7 Complaint until February 19, 2016 and rescheduling the initial Case Management Conference
8 currently set in this action for February 16, 2016 to March 22, 2016, and to adjust accordingly
9 the related deadlines set forth therein.

10 WHEREAS, Joseph Markette filed a securities class action lawsuit against XOMA, John
11 Varian, and Paul Rubin relating to XOMA’s EYEGUARD-B study in the United States Court for
12 the Northern District of California, captioned *Markette v. XOMA Corp., et. al.*, 3:15-CV-3425-
13 HSG, on July 24, 2015;

14 WHEREAS, Plaintiff Deborah A. Fieser filed this related shareholder derivative action,
15 captioned *Fieser v. W. Denman Van Ness, et. cal.*, Case No. 4:15-CV-05236, in this Court on
16 November 16, 2015 (Dkt. No. 1) (“*Fieser Complaint*”);

17 WHEREAS, the Defendants’ responses to the *Fieser Complaint* are due by January 19,
18 2016;

19 WHEREAS, in an effort to avoid duplication of effort and maximize judicial economy,
20 the parties have been discussing relating the action to the *Markette* action as well as other
21 procedures, but have not yet reached an agreement;

22 WHEREAS, in order to conserve party and Court resources, Plaintiff and Defendants
23 agree to extend Defendants’ deadline to respond to the *Fieser Complaint* to February 19, 2016 to
24 provide the parties with additional time to reach agreement regarding relation;

25 WHEREAS Plaintiff and Defendants further agree that the initial Case Management
26 Conference should be rescheduled for March 22, 2016 and that all associated deadlines
27 (including ADR deadlines) be rescheduled accordingly;

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Dated: January 6, 2015

GREEN & NOBLIN, P.C.
ROBERT S. GREEN (136183)
JAMES ROBERT NOBLIN (114442)

And

FEDERMAN & SHERWOOD
WILLIAM B. FEDERMAN

/s/ Robert S. Green

Robert S. Green (136183)

Attorneys for Plaintiff DEBORAH A. FIESER

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 1/11/16



Honorable Kandis A. Westmore
United States District Judge

