

1 Nicole Lavallee (SBN 165755)
 2 Kristin J. Moody (SBN 206326)
BERMAN TABACCO
 44 Montgomery Street, Suite 650
 3 San Francisco, CA 94104
 Telephone: (415) 433-3200
 4 Facsimile: (415) 433-6382
 Email: nlavallee@bermantabacco.com
 5 kmoody@bermantabacco.com

6 Shannon L. Hopkins
 7 Stephanie A. Bartone
LEVI & KORSINSKY, LLP
 8 1111 Summer Street, Suite 304
 Stamford, CT 06901
 9 Telephone: (203) 992-4523
 Facsimile: (212) 363-7171
 10 Email: shopkins@zlk.com
 11 sbartone@zlk.com

12 *Counsel for the Lead Plaintiff Plymouth County Group*
 13 *and Co-Lead Counsel for the Class*

14 [Additional Counsel on Signature Page]

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

18)
 19 IN RE AQUA METALS, INC. SECURITIES) Case No.: 4:17-cv-07142-HSG
 LITIGATION)
 20) **CLASS ACTION**
)
 21) **JOINT STIPULATION AND**
 22) **ORDER RE EXTENSION OF TIME TO**
) **FILE MOTION FOR PRELIMINARY**
 23 This document Relates to:) **APPROVAL OF SETTLEMENT**
 All Actions.)
 24) Ctrm: 2, 4th Floor
) Judge: Hon. Haywood S. Gilliam, Jr.
 25)
 26)

27
 28 [No.: 4:17-cv-07142-HSG] JOINT STIPULATION AND ORDER RE EXTENSION OF TIME TO FILE
 MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT

1 Court-appointed Lead Plaintiff, the Plymouth County Group (consisting of Plymouth County
2 Retirement Association, Denis Taillefer and his private company, 1103371 Ontario Ltd.) (“Plaintiff”),
3 and Defendants Aqua Metals, Inc., Thomas Murphy, Selwyn Mould and Stephen R. Clarke
4 (“Defendants,” with Plaintiff, the “Parties”), hereby stipulate and agree as follows.

5 WHEREAS, on May 27, 2021, the Parties filed a joint stipulation with the Court stating
6 they reached an agreement in principle to resolve all issues and claims involved in this litigation
7 and requested a stay of the action for Plaintiff to file a motion for preliminary approval of
8 settlement (ECF No. 160);

9 WHEREAS, on May 28, 2021, this Court entered an order vacating all dates currently set
10 in this Action, staying all proceedings for forty-five (45) days, and setting a date for the motion
11 for preliminary approval to be filed within thirty (30) days (ECF No.161);

12 WHEREAS, pursuant to the Court’s May 28, 2021 Order, the Plaintiff must file its motion
13 for preliminary approval of settlement by June 28, 2021;

14 WHEREAS, on June 2, 2021, Plaintiff circulated a draft Stipulation of Settlement to
15 Defendants for review;

16 WHEREAS, the parties have agreed to all substantive terms, however, Defendants believe
17 they may need additional time to review and get final agreement on the Stipulation of Settlement;

18 WHEREAS, Plaintiff is unable to file the motion for preliminary approval of settlement
19 until the Stipulation of Settlement has been executed;

20 WHEREAS, the parties have met and conferred and have agreed that Plaintiff shall have
21 an additional week, to July 6, 2021 (July 5, 2021 is a holiday), to file its motion for preliminary
22 approval of settlement.

23 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the parties
24 hereto, that:

25 1. Lead Plaintiff shall file its motion for preliminary approval no later than July 6, 2021.

26 IT IS SO STIPULATED.

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: June 25, 2021

Respectfully submitted,

BERMAN TABACCO

By: /s/ Kristin J. Moody
Nicole Lavallee
Kristin J. Moody
44 Montgomery Street, Suite 650
San Francisco, CA 94104
Telephone: (415) 433-3200
Facsimile: (415) 433-6382
Email: nlavallee@bermantabacco.com
 kmoody@bermantabacco.com

LEVI & KORSINSKY, LLP

Shannon L. Hopkins
Stephanie A. Bartone
1111 Summer Street, Suite 403
Stamford, CT 06905
Telephone: (203) 992-4523
Facsimile: (212) 363-7171
Email: shopkins@zlk.com
 sbartone@zlk.com

*Counsel for the Lead Plaintiff Plymouth County
Group and Co-Lead Counsel for the Class*

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: June 25, 2021

GREENBERG TRAURIG, LLP

By: /s/ Robert A. Horowitz

Michael R. Hogue
4 Embarcadero Center, Suite 3000
San Francisco, CA 94111
Telephone: (415) 655-1300
Facsimile: (415) 707-2010
Email: hoguem@gtlaw.com

Robert A. Horowitz
200 Park Avenue
New York, NY 10166
Telephone: (212) 801-2194
Email: horowitzr@gtlaw.com

*Counsel for Defendants Aqua Metals, Inc.,
Selwyn Mould, and Thomas Murphy*

WILSON SONSINI GOODRICH & ROSATI

By: /s/ Dylan Grace Savage

Steven M. Schatz
Dylan Grace Savage
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100
Email: sschatz@wsgr.com
dsavage@wsgr.com

Counsel for Defendant Stephen R. Clarke

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

E-FILING ATTESTATION

I, Kristin J. Moody, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Robert A. Horowitz and Dylan Grace Savage have concurred in this filing.

/s/ Kristin J. Moody

Kristin J. Moody

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

GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that:

1. Lead Plaintiff shall file its motion for preliminary approval of settlement no later than July 6, 2021.

IT IS SO ORDERED.

DATED: 6/28/2021


HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE