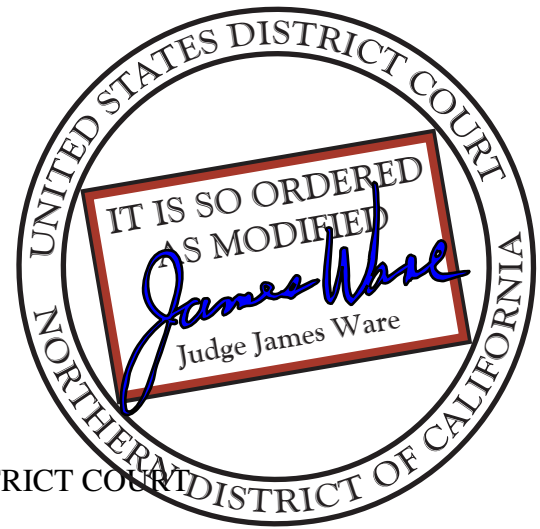


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Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

In re UTSTARCOM, INC. SECURITIES LITIGATION	)	Master File No. C-04-4908-JW(PVT)
	)	
	)	<u>CLASS ACTION</u>
This Document Relates To:	)	STIPULATION AND <del>PROPOSED</del> ORDER
ALL ACTIONS.	)	REGARDING CLASS CERTIFICATION
	)	BRIEFING SCHEDULE

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1 WHEREAS, on April 29, 2009, this Court entered a Scheduling Order that, *inter alia*,  
2 required plaintiffs to file their Motion for Class Certification on July 10, 2009; required defendants  
3 to file their oppositions to class certification on August 7, 2009; required plaintiffs to file their reply  
4 in support of class certification on September 4, 2009; and set the class certification hearing for  
5 September 21, 2009 at 9:00 a.m.;

6 WHEREAS, defendant UTStarcom, Inc. served plaintiffs with document requests,  
7 interrogatories and deposition notices related to class certification on May 6, 2009;

8 WHEREAS, plaintiffs will serve their responses and objections to the document requests and  
9 interrogatories on June 5, 2009;

10 WHEREAS, the parties are in the process of scheduling a mediation in August 2009 in an  
11 effort to settle the case; and

12 WHEREAS, the parties wish to participate in a mediation before expending time and  
13 resources on class certification briefing and discovery;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties,  
15 through their undersigned counsel, as follows:

16 1. Plaintiffs shall file and serve their Motion for Class Certification on September 25,  
17 2009;

18 2. Defendants shall file and serve their responses to plaintiffs' Motion for Class  
19 Certification on October 23, 2009;

20 3. Plaintiffs shall file and serve their reply in support of their Motion for Class  
21 Certification on November 20, 2009; and

22 4. The hearing on plaintiffs' Motion for Class Certification shall be on December 7,  
23 2009 at 9:00 a.m.

1 IT IS SO STIPULATED.

2 DATED: May 28, 2009

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/s/ Christopher P. Seefer

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DATED: May 28, 2009

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/s/ Bahram Seyedin-Noor

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DATED: May 28, 2009

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/s/ Jason de Bretteville

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Attorneys for Defendants SoftBank Holdings,  
Inc., SoftBank Corporation and SoftBank  
America, Inc.

I, Christopher P. Seefer, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Class Certification Briefing Schedule. In compliance with General Order No. 45, X.B., I hereby attest that Bahram Seyedin-Noor and Jason de Bretteville have concurred in this filing.

/s/ Christopher P. Seefer  
CHRISTOPHER P. SEEFER

\* \* \*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

**The parties may not modify the above schedule without first seeking leave of Court.**

DATED: June 11, 2009

James Ware  
THE HONORABLE JAMES WARE  
UNITED STATES DISTRICT JUDGE

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