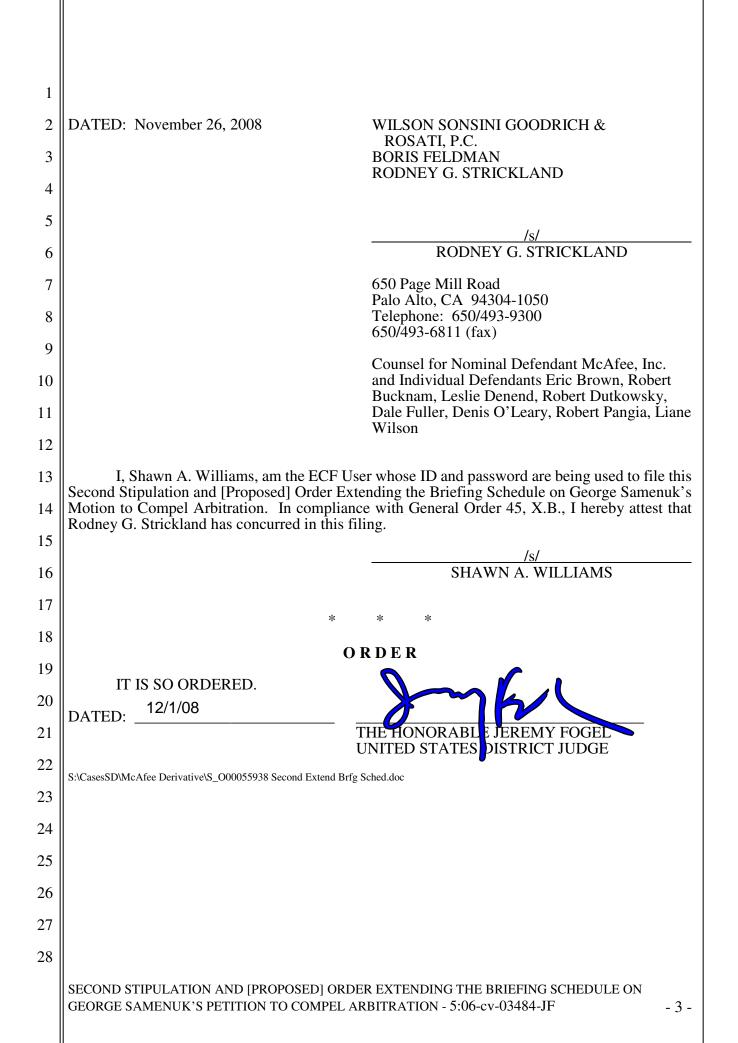
E-Filed 12/1/08

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13	Co-Lead Counsel for Plaintiffs	
14		DISTRICT COURT
15		ICT OF CALIFORNIA
16		
17 18	In re MCAFEE, INC. DERIVATIVE LITIGATION	 Master File No. 5:06-cv-03484-JF SECOND STIPULATION AND
10 19	This Document Relates To:) [PROPOSED] ORDER EXTENDING THE) BRIEFING SCHEDULE ON GEORGE
20	ALL ACTIONS.) SAMENUK'S PETITION TO COMPEL) ARBITRATION
21)
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		Dockets.Justia.com

1	WHEREAS, on October 30, 2008 defendant George Samenuk ("Samenuk ") filed a Re-		
2	Notice of Petition and Petition to Compel Arbitration ("Petition") of claims against Samenuk in the		
3	above-captioned action. Dkt. No. 133;		
4	WHEREAS, pursuant to Civ. L. R. 7-3, any response to Samenuk's Petition is due to be filed		
5	on November 14, 2008;		
6	WHEREAS, Plaintiffs, McAfee and Samenuk are discussing the possibility of resolution of		
7	the Petition without additional briefing or a ruling by the Court on its merits;		
8	WHEREAS, on November 17, 2008, the Court entered a Stipulation and Order Extending the		
9	Date of Response to the Petition to November 25, 2008 (Dkt. No. 135);		
10	WHEREAS, on November 24, 2008, the parties circulated a proposed agreement that would		
11	resolve the Petition;		
12	WHEREAS, holiday schedules have impeded the parties' ability to finally communicate		
13	approvals on the proposed agreement;		
14	WHEREAS, the parties have met and conferred and agree that, if necessary, any opposition		
15	to the Petition will be filed no later than December 2, 2008.		
16	NOW, THEREFORE, it is hereby agreed upon by the parties through their counsel of record		
17	7 and subject to the approval of the Court as follows:		
18	1. The date by which any party must respond to Samenuk's Petition to Compel		
19	Arbitration shall be extended to December 2, 2008.		
20	2. Samenuk's reply shall be filed and served no later than December 17, 2008.		
21	3. Argument on the motion shall be heard on January 9, 2009 or a date to be determined		
22	by the Court.		
23	DATED: November 26, 2008 COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP		
24	SHAWN A. WILLIAMS AELISH M. BAIG		
25	CHRISTOPHER M. WOOD		
26			
27	/s/		
28			
	SECOND STIPULATION AND [PROPOSED] ORDER EXTENDING THE BRIEFING SCHEDULE ON GEORGE SAMENUK'S PETITION TO COMPEL ARBITRATION - 5:06-cv-03484-JF - 1 -		

1		
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13	610/667-7056 (fax) Co-Lead Counsel for Plaintiffs	
14	Co-Lead Counsel for Flaintins	
15		
16	DATED: November 26, 2008 R. JAMES SLAUGHTER	
17	ELLIOT R. PETERS	
18		
19	/s/	
20	710 Sansome Street	
21	San Francisco, CA 94111	
22	Telephone: (415) 391-5400 (415) 397-7188 (fax)	
23	Counsel for Defendant George Samenuk	
24	I Shawn A Williams am the ECE User whose ID and password are being used to file this	
25	I, Shawn A. Williams, am the ECF User whose ID and password are being used to file this Second Stipulation and [Proposed] Order Extending the Briefing Schedule on George Samenuk's Motion to Compel Arbitration. In compliance with General Order 45, X.B., I hereby attest that R.	
26	James Slaughter has concurred in this filing.	
27	/s/ SHAWN A. WILLIAMS	
28		
	SECOND STIPULATION AND [PROPOSED] ORDER EXTENDING THE BRIEFING SCHEDULE ON GEORGE SAMENUK'S PETITION TO COMPEL ARBITRATION - 5:06-cv-03484-JF - 2 -	



1	CERTIFICATE OF SERVICE	
2	I hereby certify that on November 26, 2008, I electronically filed the foregoing with the	
3	Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail	
4	addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have	
5	mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF	
6	participants indicated on the attached Manual Notice List.	
7	I certify under penalty of perjury under the laws of the United States of America that the	
8	foregoing is true and correct. Executed on November 26, 2008.	
9	_s/ Shawn A. Williams	
10	SHAWN A. WILLIAMS	
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Mailing Information for a Case 5:06-cv-03484-JF

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