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 18 UNITED STATES DISTRICT COURT
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 20 SAN JOSE DIVISION

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No. C06-04327-JW

**STIPULATION AND ORDER
 ALLOWING DEPOSITIONS TO
 PROCEED AFTER THE DECEMBER
 1, 2009 DISCOVERY CUTOFF,
 AS MODIFIED BY THE COURT**

STIPULATION AND ORDER ALLOWING CERTAIN DEPOSITIONS AFTER THE DECEMBER 1, 2009
 DISCOVERY CUTOFF—CASE NO. 06-04327-JW

1 This Stipulation is entered into by and among Lead Plaintiff the New York City Pension
2 Funds and Defendants Juniper Networks, Inc., Scott Kriens, Pradeep Sindhu, Marcel Gani,
3 Robert M. Calderoni, Kenneth Goldman, William R. Hearst III, Stratton Sclavos, Vinod Khosla,
4 Kenneth Levy, and William R. Stensrud (the “Juniper Defendants”), by and through their
5 respective attorneys of record.

6 WHEREAS, on November 13, 2009, Lead Plaintiff filed a Motion for Sanctions against
7 Defendant Ernst & Young in which Lead Plaintiff has requested, *inter alia*, that the Court permit
8 it to recall Juniper and Ernst & Young witnesses after Lead Plaintiff finished reviewing
9 documents Ernst & Young had recently produced;

10 WHEREAS, shortly after Lead Plaintiff filed the Motion for Sanctions referenced above,
11 the Juniper Defendants offered, and Lead Plaintiff agreed, to adjourn the depositions of certain
12 Juniper witnesses (Bill Carey, Ken Goldman and Marcel Gani) so that Lead Plaintiff could finish
13 its review of Ernst & Young documents and complete those depositions in a single sitting, and
14 the Juniper Defendants agreed that such depositions could take place after the December 1, 2009
15 discovery deadline if necessary;

16 WHEREAS, for separate reasons, Lead Plaintiff and the Juniper Defendants agreed that
17 the depositions of William Hearst, Robert Calderoni, Luke Fewel, and Ken Levy could take
18 place after the December 1, 2009 discovery deadline;

19 WHEREAS, in addition, the Magistrate has pending before her Lead Plaintiff’s motion
20 for leave to take additional depositions (the “Additional Depositions”), the number of which is
21 not yet resolved;

22 WHEREAS, the Lead Plaintiff has requested that, if the Magistrate grants their motion
23 for Additional Depositions, or if the parties agree between themselves as to the number of such
24 additional depositions, it be allowed to complete those Additional Depositions in December 2009
25 and January 2010 notwithstanding the December 1, 2009 discovery deadline, and the Juniper
26 Defendants do not oppose that request;

27 WHEREAS, the parties agree that the above scheduling will foreclose the possibility of
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WILSON SONSINI GOODRICH & ROSATI

/S/

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650-565-5100 (facsimile)

Counsel for the Juniper Defendants

* * *

ORDER

PURSUANT TO STIPULATION, IT IS ORDERED.

DATED: December 18, 2009


Magistrate Judge