

E-Filed 8/11/2010

1 Jeffrey S. Facter (State Bar No. 123817)
 Patrick D. Robbins (State Bar No. 152288)
 2 Emily V. Griffen (State Bar No. 209162)
 Sean T. Strauss (State Bar No. 245811)
 3 SHEARMAN & STERLING LLP
 525 Market Street, Suite 1500
 4 San Francisco, CA 94105-2723
 Telephone: (415) 616-1100
 5 Facsimile: (415) 616-1199
 Email: jfacter@shearman.com
 6 probbins@shearman.com
 egriffen@shearman.com
 7 sean.strauss@shearman.com

8 Attorneys for the Special Committee
 of the Board of Directors of Blue Coat
 9 Systems, Inc.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 In re BLUE COAT SYSTEMS, INC.
 15 DERIVATIVE LITIGATION

MASTER FILE NO.: C-06-4809-JF (RS)
 [Consolidated with C-06-5453]

16 STIPULATION AND ~~[PROPOSED]~~
 17 ORDER EXTENDING DATE FOR CASE
 MANAGEMENT CONFERENCE

18 This Document Relates To:
 19 ALL ACTIONS.

20 Current CMC Date: August 13, 2010
 Proposed CMC Date: September 3, 2010
 Before: Hon. Jeremy Fogel

1 WHEREAS, counsel for plaintiffs, counsel for the special committee, counsel for
2 the insurers, and counsel for certain individual defendants attended a mediation session on
3 November 24, 2009 with the Honorable Layn Phillips (Ret.);

4 WHEREAS, following the mediation, counsel for Plaintiffs, counsel for the special
5 committee, counsel for the insurers, and counsel for individual Defendants continued to engage in
6 extensive arm’s length settlement discussions, with additional assistance from the mediator;

7 WHEREAS, Plaintiffs, certain of the individual Defendants, Defendant EY, and
8 nominal Defendant Blue Coat, by and through its special committee, each by and through their
9 respective counsel, have reached a settlement in principle of this action and preparation of
10 settlement documentation is underway;

11 NOW, THEREFORE, the Parties, by and through their undersigned counsel of
12 record, hereby agree and stipulate to the following:

13 1. The Case Management Conference scheduled for August 13, 2010, together
14 with all associated pre-conference filings (e.g., the Case Management Statement and Rule 26(f)
15 disclosures) shall be continued to September 3, 2010 at 10:30 a.m., or as soon as available
16 thereafter, at which time the Parties will report to the Court about the status of the special
17 committee’s work and the status of settlement documentation;

18 2. The Parties respectfully request that the Court enter an Order approving this
19 Stipulation.

20 Dated: August 6, 2010

SHEARMAN & STERLING LLP
Jeffrey S. Facter
Patrick D. Robbins
Emily V. Griffen
Sean T. Strauss
525 Market Street, Suite 1500
San Francisco, CA 94105
Telephone: (415) 616-1100
Facsimile: (415) 616-1199

25 By: _____/s
26 Emily V. Griffen

27 Counsel for the Special Committee of the Board of
28 Directors of Nominal Defendant Blue Coat Systems,
Inc.

1 Dated: August 6, 2010

WILSON SONSINI GOODRICH & ROSATI, P.C.
Jerome F. Birn, Jr.
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 565-5100

2
3
4
5 By: _____/s
Jerome F. Birn, Jr.

6 Counsel for the Blue Coat Defendants and Nominal
7 Defendant Blue Coat Systems, Inc.

8 Dated: August 6, 2010

THE WEISER LAW FIRM, P.C.
Robert B. Weiser
121 N. Wayne Avenue, Suite 100
Wayne, PA 19087
Telephone: (610) 225-2677
Facsimile: (610) 225-2678

9
10
11
12 By: _____/s
Robert B. Weiser

13 Dated: August 6, 2010

ROBBINS UMEDA LLP
Brian J. Robbins
Marc M. Umeda
600 B Street, Suite 1900
San Diego, CA 92101
Telephone: (619) 525-3990
Facsimile: (619) 525-3991

14
15
16
17
18 By: _____/s
Marc M. Umeda

19 Co-Lead Counsel for Plaintiffs

20 Dated: August 6, 2010

DLA PIPER US LLP
Shirli Fabbri Weiss
David Priebe
Roy K. McDonald
David M. Doyle
401 B Street, Suite 1700
San Diego, CA 92101
Telephone: (619) 699-2700
Facsimile: (619) 699-2701

21
22
23
24
25
26 By: _____/s
Shirli F. Weiss

27 Counsel for Defendant Michael J. Johnson

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: August 6, 2010

BINGHAM MCCUTCHEN LLP
Charlene S. Shimada
Three Embarcadero Center
San Francisco, CA 94111
Telephone: 415) 393-2000
Facsimile: (415) 393-2286

By: _____/s
Charlene S. Shimada

Counsel for Defendant Susan Thornton

Dated: August 6, 2010

KATTEN MUCHIN ROSENMAN, LLP
Bruce G. Vanyo
Richard H. Zelichov
2029 Century Park East, Suite 2600
Los Angeles, CA 90067
Telephone: (310) 788-4400
Facsimile: (310) 788-4471

By: _____/s
Richard H. Zelichov

Counsel for Defendant Robert P. Verheecke

Dated: August 6, 2010

LATHAM & WATKINS LLP
Peter A. Wald
Patrick E. Gibbs
David M. Friedman
Andrew M. Farthing
505 Montgomery Street, Suite 2000
San Francisco, CA 94111-6538
Telephone: (415) 391-0600
Facsimile: (415) 395-8095

By: _____/s
David M. Friedman

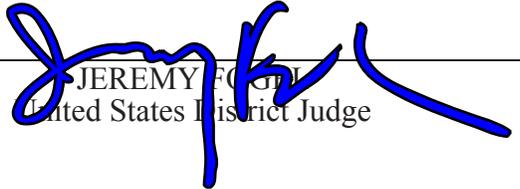
Counsel for Defendant Ernst & Young LLP

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

~~PROPOSED~~ ORDER

Based upon the above stipulation of the Parties and for good cause appearing therefore, IT IS SO ORDERED.

Dated: August 9, 2010



JEREMY F. GRIFFIN
United States District Judge

