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ORDER E-FILED 12/12/07

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17 *Attorneys for Defendant Nancy R. Heinen*

18 **UNITED STATES DISTRICT COURT**
19 **NORTHERN DISTRICT OF CALIFORNIA**
20 **SAN JOSE DIVISION**

22 SECURITIES AND EXCHANGE
COMMISSION,

23 Plaintiff,

24 vs.

25 NANCY R. HEINEN,

26 Defendant.

Case No.: C-07-2214(JF)

**JOINT STIPULATION REGARDING
NON-PARTY WENDY HOWELL'S
MOTION TO QUASH; ~~PROPOSED~~
ORDER**

Magistrate Judge Howard R. Lloyd

Date: January 15, 2008

Time: 10:00 a.m.

Dept: Courtroom 2, 5th Floor

1 Defendant Nancy Heinen (“Heinen”) and Non-Party Wendy Howell (“Howell”), by and
2 through their respective counsel of record, **HEREBY STIPULATE AND AGREE** that:

3 1. Ms. Howell’s motion to quash is currently scheduled to be heard on January 15,
4 2008 at 10:00 a.m. in front of Hon. Howard R. Lloyd.

5 2. Defendant Heinen hereby withdraws all subpoenas issued to Bank of Alameda,
6 Bank of the West, Washington Mutual, Wells Fargo & Co., Western Sunrise Mortgage, California
7 State University, Stanford University, and Non-Party Howell’s former employer for records
8 concerning Non-Party Howell.

9 3. Non-Party Howell hereby withdraws her motion to quash, filed with this Court on
10 November 2, 2007, subject to Ms. Howell’s right to re-file or re-notice her motion to quash if Ms.
11 Heinen subpoenas or re-subpoenas any entities regarding Ms. Howell.

12 4. The hearing set for January 15, 2008, at 10:00 a.m., be removed from the Court’s
13 calendar.

14 5. Non-Party Howell hereby agrees to produce redacted documents from California
15 State University, Stanford University and Ms. Howell’s former employer, as agreed to by counsel.

16 6. By December 14, 2007, Defendant Heinen and her counsel agree to return to Ms.
17 Howell’s counsel the originals and all copies thereof of all documents provided by subpoenaed
18 parties in advance of the subpoena date as discussed between the parties (*e.g.*, the bank records
19 currently being held by Mr. Ehrlich).

20
21 DATED: December 10, 2007 FOLEY & LARDNER LLP

22
23 By: /s/ Pamela L. Johnston
24 Pamela L. Johnston
25 Foley & Lardner, LLP
26 Attorneys for Non-Party Wendy Howell
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DATED: December 10, 2007

RAMSEY & EHRLICH LLP

By: /s/ Miles Ehrlich
Miles Ehrlich
Ismail Ramsey
Attorneys for Defendant Nancy Heinen

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ORDER

Pursuant to the foregoing STIPULATION of the parties:

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5 2. Defendant Heinen hereby withdraws all subpoenas issued to Bank of Alameda,
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18 parties in advance of the subpoena date as discussed between the parties (*e.g.*, the bank records
19 currently being held by Mr. Ehrlich).

23 DATED: December 12, 2007

By: _____

Hon. Howard R. Lloyd
Magistrate Judge, United States District Court