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E-Filed 10/8/2010

Attorneys for Defendant Douglas Smith

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MERCURY INTERACTIVE, LLC (F/K/A/
MERCURY INTERACTIVE, INC.), AMNON
LANDAN, SHARLENE ABRAMS, DOUGLAS
SMITH and SUSAN SKAER,

Defendants.

Case No.: 5:07-C02822-JF

Assigned to Hon. Jeremy Fogel

STIPULATION AND ~~[PROPOSED]~~-
ORDER EXTENDING DEFENDANTS'
TIME TO ANSWER

No Hearing Requested

1 This Stipulation is entered into by and among Plaintiff, Securities and Exchange
2 Commission (“Plaintiff”), and Defendants Amnon Landan, Douglas Smith, and Susan Skaer
3 (collectively, “Defendants”), through their respective attorneys of record.

4 WHEREAS, on September 27, 2010 the Court entered an Order Granting in Part
5 and Denying in Part Motions to Dismiss, With Leave to Amend;

6 WHEREAS, Defendants’ answers to the Second Amended Complaint are currently
7 due on October 12, 2010;

8 WHEREAS, Defendants have sought, and Plaintiff has agreed to provide,
9 additional time for Defendants to prepare and serve their answers to the Second Amended
10 Complaint.

11 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the
12 respective parties hereto, that the time for Defendants to serve their answers to the Second
13 Amended Complaint is extended until November 29, 2010.

14 Dated: October 5, 2010

DAVID WILLIAMS
SECURITIES AND EXCHANGE COMMISSION

17 /s/
18 _____
David Williams
Attorneys for Plaintiff

19 Dated: October 5, 2010

ANDREW T. SOLOMON
SULLIVAN & WORCESTER LLP

22 /s/
23 _____
Andrew T. Solomon
Attorneys for Defendant
AMNON LANDAN

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Dated: October 5, 2010

JEFFREY S. FACTER
EMILY V. GRIFFEN
SHEARMAN & STERLING LLP

/s/

Emily V. Griffen
Attorneys for Defendant
DOUGLAS SMITH

Dated: October 5, 2010

JAMES N. KRAMER
M. TODD SCOTT
ORRICK, HERRINGTON & SUTCLIFFE LLP

/s/

M. Todd Scott
Attorneys for Defendant
SUSAN SKAER

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~~PROPOSED~~ ORDER

Based on the Stipulation of the parties, and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendants shall have until November 29, 2010 to serve their answers to the Second Amended Complaint.

Dated October 8, 2010



HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Emily V. Griffen, attest that concurrence in the filing of this document has been obtained from each of the signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 5th day of October, 2010 at San Francisco, California.

By: _____ /s/ _____
Emily V. Griffen
Attorneys for Defendant Douglas Smith