

1 Douglas R. Young (State Bar No. 073248)
dyoung@fbm.com

E-Filed 12/10/08

2 C. Brandon Wisoff (State Bar No. 121930)
bwisoff@fbm.com

3 Farella Braun & Martel LLP
 235 Montgomery Street, 17th Floor
 4 San Francisco, CA 94104
 Telephone: (415) 954-4400
 5 Facsimile: (415) 954-4480

6 Attorneys for Defendant
 SHARLENE ABRAMS

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

12 SECURITIES AND EXCHANGE
 COMMISSION,

Case No. 5:07-cv-02822 JF

13 Plaintiff,

**STIPULATION AND [PROPOSED]
 ORDER re RESPONSE OF DEFENDANT
 SHARLENE ABRAMS TO AMENDED
 COMPLAINT**

14 vs.

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

18 Defendants.
 19

20
 21 Plaintiff Securities and Exchange Commission (“SEC”) and Defendant Sharlene Abrams
 22 (“Abrams”), by and through counsel, hereby stipulate as follows:

23 1. The SEC and Abrams are in the advanced stages of negotiating a potential
 24 resolution of this matter.

25 2. To avoid the unnecessary expenditure of the parties’ and the Court’s resources, the
 26 SEC and Abrams agree to defer any obligation of Abrams to respond to the amended complaint at
 27 this time.

28
 Farella Braun & Martel LLP
 235 Montgomery Street, 17th Floor
 San Francisco, CA 94104
 (415) 954-4400
 STIP. & [PROP] ORDER re RESPONSE OF
 DEF. SHARLENE ABRAMS TO AMENDED
 COMPLAINT Case No. 5:07-cv-02822 JF

19994\1782525.1

1 3. The SEC and Abrams therefore stipulate that Abrams need not respond to the
2 amended complaint by the currently pending deadline of December 15, 2008. Rather than set a
3 response deadline, the parties agree that Abrams need only respond to the complaint once the
4 SEC has filed written notice in this action indicating that a response is due, in which case,
5 Abrams shall have thirty (30) days from the date of such notice in which to plead or otherwise
6 respond to the amended complaint on file herein.

7 SO STIPULATED.

8
9 Dated: December 9, 2008.

SECURITIES AND EXCHANGE
COMMISSION

10

11

By: /s/ _____
A. David Williams

12

13

Attorneys for Plaintiff
SECURITIES AND EXCHANGE
COMMISSION

14

15

16

Dated: December 9, 2008.

FARELLA BRAUN + MARTEL LLP

17

18

By: /s/ _____
C. Brandon Wisoff

19

20

Attorneys for Defendant
SHARLENE ABRAMS

21

*I hereby attest that I have received authority
from the other counsel signatories to file this
document.*

22

23

24

25

26

27

28

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

ORDER

Based on the foregoing stipulation, and for good cause shown, IT IS TO ORDERED.

Dated: December 10, 2008.



Jeremy Fogel
United States District Judge