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8 Attorneys for Defendant  
 MARK LESLIE

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

13 SECURITIES AND EXCHANGE  
 COMMISSION,

14 Plaintiff,

15 vs.

16 MARK LESLIE, KENNETH E. LONCHAR,  
 17 PAUL A. SALLABERRY, MICHAEL M.  
 CULLY AND DOUGLAS S. NEWTON,

18 Defendants.  
 19  
 20

Case No. 5:07-cv-03444-JF

**STIPULATION AND JOINT REQUEST  
 FOR [PROPOSED] ORDER REVISING  
 SCHEDULE FOR CASE  
 MANAGEMENT CONFERENCE**

21  
 22 WHEREAS, under Civil L. R. 6-2(a), Plaintiff Securities and Exchange Commission  
 23 (“SEC”), and Defendants Mark Leslie, Kenneth E. Lonchar and Paul A. Sallaberry (collectively,  
 24 “Defendants”), through their respective attorneys of record, hereby stipulate as follows:

25 WHEREAS, Plaintiff SEC filed its Complaint in this action on July 2, 2007;

26 WHEREAS, on March 21, 2008, the United States District Court for the Northern District  
 27 of California, San Jose Division, Judge Jeremy Fogel presiding, entered an order setting a Jury  
 28 Trial for December 4, 2009;

STIPULATION AND JOINT REQUEST FOR  
 [PROPOSED] ORDER REVISING SCHEDULE FOR  
 DISPOSITIVE MOTIONS – CASE NO. 5:07-cv-03444-JF

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1           WHEREAS, on June 25, 2009, this Court entered an order pursuant to stipulation of the  
2 parties setting a new trial date for May 14, 2010, which the Court thereafter vacated due to the  
3 Court's then-pending criminal trial calendar;

4           WHEREAS, on February 10, 2011, the Court, by Clerk's Notice, set a Case Management  
5 Conference for March 11, 2011 at 10:30 a.m.

6           WHEREAS, Defendant Mark Leslie's three lead counsel, Douglas R. Young, William P.  
7 Keane and Anthony P. Schoenberg, each have separate out-of-town scheduling conflicts on  
8 March 11, 2011.

9           THEREFORE, for the convenience of all parties, the parties hereby STIPULATE, AND  
10 JOINTLY REQUEST THE COURT TO APPROVE that the Case Management Conference be  
11 continued to March 25, 2011 at 10:30 a.m.

12  
13 Dated: February 16, 2011

Respectfully submitted,

14 FARELLA BRAUN + MARTEL LLP

15  
16 By: /s/ Anthony P. Schoenberg  
Anthony P. Schoenberg

17 Attorneys for Defendant Mark Leslie

18  
19 Dated: February 16, 2011

U.S. SECURITIES AND EXCHANGE  
COMMISSION

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21 By: /s/ Richard Hong  
Richard Hong

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23 Attorneys for Plaintiff Securities and Exchange  
Commission

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Dated: February 16, 2011

SHARTSIS FRIESE LLP

By: /s/ Gregg S. Farano  
Gregg S. Farano

Attorneys for Defendant Paul A. Sallaberry

Dated: February 16, 2011

ORRICK HERRINGTON & SUTCLIFFE LLP

By: /s/ Danielle P. Van Wert  
Danielle P. Van Wert

Attorneys for Defendant Kenneth E. Lonchar

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**[PROPOSED] ORDER**

Pursuant to stipulation, and good cause appearing therefore, IT IS HEREBY ORDERED THAT the Case Management Conference scheduled for March 11, 2011 at 10:30 a.m. is continued to March 25, 2011 at 10:30 a.m.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 2/24/11

  
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JUDGE OF THE DISTRICT COURT