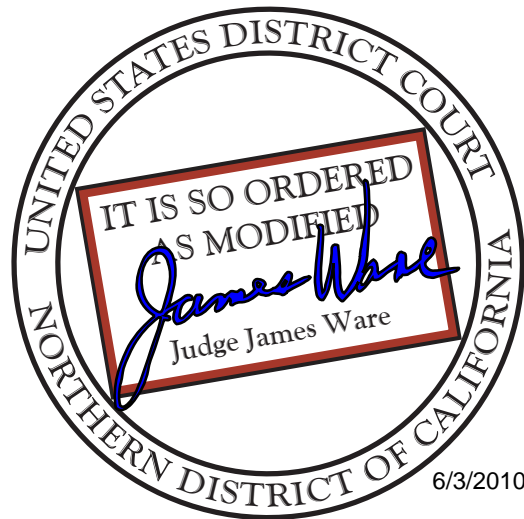


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15  
 16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18 SAN JOSE DIVISION

19 SECURITIES AND EXCHANGE  
 20 COMMISSION,  
 21 Plaintiff,  
 22 v.  
 23 KENNETH L. SCHROEDER,  
 24 Defendant.

Case No. C-07-3798-JW (HRL)  
**JOINT PRETRIAL STATEMENT AND  
 [PROPOSED] AMENDED SCHEDULING  
 ORDER**

1 Plaintiff Securities and Exchange Commission (the “Commission”) and defendant  
2 Kenneth L. Schroeder respectfully submit this Joint Pretrial Statement and Proposed Amended  
3 Scheduling Order in advance of the Pretrial Conference set for June 7, 2010.

4 WHEREAS the Court entered an amended scheduling order for this case on January 11,  
5 2010 [Docket No. 204];

6 WHEREAS the Court’s amended scheduling order requires the parties to submit  
7 preliminary pretrial conference statements by May 28, 2010;

8 WHEREAS Mr. Schroeder, without admitting or denying the allegations of the  
9 complaint, consented to the entry of partial final judgment on March 31, 2010;

10 WHEREAS Mr. Schroeder’s consent to the entry of partial final judgment has not yet  
11 been considered by the Commission;

12 WHEREAS if approved by the Commission and entered by the Court, the partial final  
13 judgment will resolve all aspects of this case except the issue of whether it is appropriate to enter  
14 an order, pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. §78u(d)(2)], barring  
15 Mr. Schroeder from serving as an officer or director of any issuer required to file reports with the  
16 Commission pursuant to Sections 12(b), 12(g) or 15(d) of the Exchange Act [15 U.S.C.  
17 §§781(b), 781(g), 780(d)];

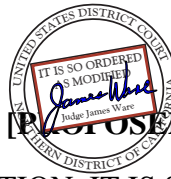
18 WHEREAS, if the consent is approved by the Commission and entered by the Court, the  
19 Commission will submit a brief asking that the Court impose no more than a five-year bar and  
20 Mr. Schroeder would oppose the Commission’s request by asking that no bar be imposed;

21 WHEREAS the parties believe that the following extensions to the current deadlines set  
22 forth in the Court’s amended discovery order would allow them to complete discovery and  
23 would permit sufficient time, approximately one month, for the Commission to consider the  
24 proposed consent, which if approved by the Commission would require only a briefing and  
25 argument on the officer and direct bar issue;

26 IT IS HEREBY STIPULATED by the parties, and the parties ask the Court to adopt as its  
27 amended scheduling order, the following:

- 28 • Close of All Discovery: July 26, 2010






**[PROPOSED] ORDER**

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PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED:

The Preliminary Pretrial Conference set to June 7, 2010 is continued to **September 27, 2010 at 11:00 AM**. On or before **September 17, 2010**, the parties shall file a joint statement updated the Court on the status of the parties' partial settlement efforts.

Dated: June 3, 2010

  
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HON. JAMES WARE  
UNITED STATES DISTRICT JUDGE