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

19 | SECURITIES AND EXCHANGE COMMISSION,

Case No. C-07-4431-RMW (HRL)

20 | Plaintiff,

21 | vs.

**STIPULATION AND []  
 SCHEDULING ORDER**

22 | LISA C. BERRY,

23 | Defendant.

24 | Whereas Plaintiff Securities and Exchange Commission (“SEC” or “Commission”) and  
 25 | Defendant Lisa C. Berry (“Ms. Berry”) participated in a case management conference at which a trial  
 26 | date was set for the first time in this matter [Docket No. 130];

27 | Whereas the Court’s scheduling order set February 25, 2011 the last day for fact discovery  
 28 | and July 25, 2011 as the first day of trial [Docket No. 132];

Whereas Ms. Berry has filed a motion to compel discovery against third-party Juniper  
 Networks, Inc. which is set to be heard on February 22, 2011 [Docket Nos. 135-141];

1           Whereas the Commission and Ms. Berry have also engaged in efforts to resolve this matter  
2 with the assistance of the Honorable Daniel Weinstein (Ret.);

3           Whereas the Commission and Ms. Berry believe that certain discovery should take place  
4 before the next mediation session with Judge Weinstein;

5           Whereas the Commission and Ms. Berry have scheduled a further mediation with Judge  
6 Weinstein on March 18, 2011;

7           Whereas counsel for the Commission and Ms. Berry believe that a brief extension of the  
8 current scheduling order will maximize the parties' efforts to resolve this matter;

9           Whereas this is the first time that either party has sought to continue scheduled dates in this  
10 matter;

11           It is therefore stipulated and agreed, and the parties ask the Court to adopt as its order the  
12 following schedule:

13           Last day for fact discovery: March 25, 2011

14           Last day to identify expert witnesses and exchange expert reports: April 1, 2011

15           Last day to exchange rebuttal reports: April 22, 2011

16           Last day to complete expert discovery: May 6, 2011

17           Last day to hear dispositive motions: June 24, 2011

18           Pre-trial conference: September 8, 2011

19           Trial: October 24, 2011

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1 DATED: February 29, 2008

Respectfully submitted,

2  
3 /s/ Mark P. Fickes

4 Mark P. Fickes  
5 Attorneys for Plaintiff  
6 SECURITIES AND EXCHANGE COMMISSION

7 /s/ James Kramer

8 James Kramer  
9 ORRICK, HERRINGTON & SUTCLIFFE LLP  
10 Attorneys for Defendant  
11 LISA C. BERRY

12 The Commission's undersigned counsel of record, Mark P. Fickes, hereby attests that James  
13 Kramer concurs in the filing of this Stipulation and [Proposed] Order in accordance with General Order  
14 No. 45, Electronic Case Filing, section 10(b).

15 **ORDER**

16 Pursuant to the stipulation of the parties, the Court adopts as its scheduling order the  
17 following:

18 Last day for fact discovery: March 25, 2011

19 Last day to identify expert witnesses and exchange expert reports: April 1, 2011

20 Last day to exchange rebuttal reports: April 22, 2011

21 Last day to complete expert discovery: May 6, 2011

22 Last day to hear dispositive motions: June 24, 2011

23 Pre-trial conference: September 8, 2011

24 Trial: October 24, 2011

25 IT IS SO ORDERED.

26 Dated: 2/7, 2011

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28 Ronald M. Whyte  
UNITED STATES DISTRICT JUDGE