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9   LISA C. BERRY

10
                    UNITED STATES DISTRICT COURT
11
                 NORTHERN DISTRICT OF CALIFORNIA
12
                         SAN JOSE DIVISION
13

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15 SECURITIES AND EXCHANGE   Case No. C 07-04431 RMW (HRL)
    COMMISSION,
16   **JOINT STIPULATION AND []**
                                           ORDER CONCERNING EVIDENTIARY
            Plaintiff,   **OBJECTIONS ON BRIEFING FOR**
17   **MOTIONS FOR PARTIAL SUMMARY**
        vs.   **JUDGMENT**
18
    LISA C. BERRY,   Judge: Judge Ronald M. Whyte
19   Dept: 7
            Defendant.
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                                            JOINT STIPULATION AND [] ORDER
                                            CONCERNING EVIDENTIARY OBJECTIONS
                                            CASE NO. C 07-04431-RMW (HRL)

1   WHEREAS, Plaintiff Securities and Exchange Commission and Defendant Lisa C. Berry

2   (each a "Party" and, collectively, the "Parties") have submitted respective Motions for Partial

3   Summary Judgment (Dkt. 237 & 254) (the "Motions") in the above-captioned action;

4   WHEREAS, the Parties anticipate filing opposition briefs concerning the Motions on

5   July 15, 2011 and reply briefs on July 29, 2011;

6   WHEREAS, the record in this action is voluminous on account of a multitude of

7   documents and deposition testimony in this and related actions;

8   WHEREAS, each Party anticipates having objections to evidence presented by the other

9   Party in the Motions, and may have objections to the evidence presented in the oppositions and

10   replies thereto;

11   WHEREAS, having met and conferred and agreed that, notwithstanding Civil Local

12   Rule 7-3, which requires that objections must be contained within opposition and reply briefs,

13   separate filings consolidating and setting forth each Party's objections to evidence cited by the

14   other Party would be appropriate in light of the voluminous nature of the record; and

15   WHEREAS, the Parties further believe that separate filings, served and filed after the

16   submission of briefing on the Motions but in advance of the hearing thereon, would be in the

17   interest of efficiency and judicial economy for Court and the Parties.

18   IT IS HEREBY STIPULATED AS FOLLOWS:

19   1.   Each Party shall separately file and serve its objections to evidence cited in the

20   Motions and oppositions and replies thereto on August 5, 2011.

21   2.   Each Party shall file and serve responses to the other Party's evidentiary objections

22   on August 10, 2011.

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24   IT IS SO STIPULATED.

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SECURITIES AND EXCHANGE COMMISSION

Dated: July 11, 2011

/s/ Robert L. Tashjian

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Attorneys for Plaintiff
Securities and Exchange Commission

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: July 11, 2011

/s/ Rebecca F. Lubens

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Attorneys for Defendant Lisa Berry

I, Rebecca F. Lubens, am the ECF User whose User ID and password are being used to file this Stipulation. In compliance with General Order 45, X.B., I hereby attest that the above-listed signatories have concurred in this filing.

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Court resets the motion hearing set for August 12, 2011 to **August 26, 2011** at 9:00 AM.

Dated: _7/22/11_

Ronald M. Whyte

Hon. Ronald M. Whyte
United States District Court Judge

JOINT STIPULATION AND [] ORDER
CONCERNING EVIDENTIARY OBJECTIONS
CASE NO. C 07-04431-RMW (HRL)