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****E-Filed 9/1/2009****

Counsel for Plaintiff

[Additional Counsel Appear on Signature Page]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ANDREW KNOPF, Derivatively on behalf of)
YAHOO! INC.,)

Plaintiff,)

v.)

TERRY SEMEL, MICHAEL J. CALLAHAN,)
JERRY YANG, ROY J. BOSTOCK,)
RONALD W. BURKLE, ERIC HIPPEAU,)
VYOMESH JOSHI, ARTHUR H. KERN,)
ROBERT A. KOTICK, EDWARD R.)
KOZEL, GARY L. WILSON,)
and MAGGIE WILDEROTTER,)

Defendants,)

v.)

YAHOO! INC., a Delaware Corporation,)

Nominal Defendant.)

CASE NO. C08-03658 (JF)

CLASS ACTION

STIPULATION AND [~~PROPOSED~~]
ORDER TO FILE AMENDED
COMPLAINT AND TO VACATE
DEFENDANTS' PENDING MOTION
TO DISMISS

DATE: October 2, 2009
TIME: 9:00 a.m.
CTRM: 3
JUDGE: Hon. Jeremy Fogel

PLF'S STIPULATION AND [PROPOSED] ORDER TO FILE AMENDED COMPLAINT AND TO VACATE
DEFS' PENDING MOTION TO DISMISS
C-08-03658 (JF)

1 WHEREAS, Plaintiff filed his Verified Shareholder Derivative Complaint
2 (“Complaint”) on July 30, 2008;

3 WHEREAS, Defendants filed their Motion to Dismiss the Complaint on July 10,
4 2009;

5 WHEREAS, Plaintiff has not yet exercised his right under Fed. R. Civ. Proc. 15(a)(1)
6 to amend his Complaint prior to the filing of a responsive pleading;

7 WHEREAS, Plaintiff intends to file an amended complaint to cure the deficiencies
8 identified in Defendants’ Motion to Dismiss;

9 IT IS HEREBY STIPULATED AND AGREED, by the parties, through their
10 undersigned counsel, that Plaintiff shall file an amended complaint on or before October 1,
11 2009, and that the pending Motion to Dismiss be vacated and the hearing and Case
12 Management Conference scheduled for October 2, 2009 be taken off-calendar.

13
14 DATED: August 28, 2009

WEISS & LURIE
JORDAN L. LURIE
LEIGH A. PARKER
ZEV B. ZYSMAN
JOEL E. ELKINS

15
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17 By: /s/ Jordan L. Lurie
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Counsel for Plaintiff

MORRISON & FORRESTER
ANNA ERICKSON WHITE

By: /s/ Anna Erickson White (by authorization)
ANNA ERICKSON WHITE

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Palo Alto, CA 94304-1018
Phone: (650) 813-5600
Fax: (650) 494-0792

Counsel for Defendants

[PROPOSED] ORDER

PURSUANT TO THE PARTIES' STIPULATION, IT IS ORDERED THAT:

1. Plaintiff shall file and serve his amended consolidated class action complaint on or before October 1, 2009.
2. Defendants' pending Motion to Dismiss shall be vacated.
3. The hearing on the Motion to Dismiss and the Case Management Conference scheduled for October 2, 2009 shall be taken off-calendar.

DATED: 8/31/2009, 2009



THE HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

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CERTIFICATE PURSUANT TO GENERAL ORDER 45 X.B.

I, Jordan L. Lurie, am the ECF User whose ID and password are being used to file this Declination to Proceed Before a Magistrate Judge and Request for Reassignment to a United States District Judge. In compliance with General Order 45, X.B., I hereby attest that Anna Erickson White has concurred in this filing.

/s/ Jordan L. Lurie
JORDAN L. LURIE

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CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 28, 2009.

/s/ Jordan L. Lurie
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1 **Mailing Information for a Case 5:08-cv-03658-PVT**

2 **Electronic Mail Notice List**

3 The following are those who are currently on the list to receive e-mail notices for this case.

4 **Rachael Clarke**
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10 **Zev Benjamin Zysman**
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11 **Manual Notice List**

12 The following is the list of attorneys who are **not** on the list to receive e-mail notices for this
13 case (who therefore require manual noticing).

14 (No manual recipients)