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7 Attorneys for Defendants

8  
 9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

12 LANCE SIEGALL, Individually And )  
 On Behalf of All Others Similarly Situated, )

13 Plaintiff, )

14 vs. )

15 TIBCO SOFTWARE, INC., VIVEK Y. )  
 16 RANADIVE, CHRISTOPHER G. O'MEARA, )  
 SYDNEY CAREY and RAJESH U. )  
 17 MASHRUWALA, )

18 Defendants. )

CASE NO: C-05-02146 SBA

STIPULATION AND [PROPOSED] ORDER

19 RONALD BERNHEIM, Individually and )  
 20 On Behalf of All Others Similarly Situated, )

21 Plaintiff, )

22 v. )

23 TIBCO SOFTWARE, INC., VIVEK )  
 24 RANADIVÉ, RAJESH MASHRUWALA, )  
 SYDNEY CAREY and CHRIS O'MEARA, )

25 Defendants. )

CASE NO.: C-05-02205 MJJ

1 JAMES J. GUZZETTI, Individually and  
on Behalf of All Others Similarly Situated,

2 Plaintiff,

3 vs.

4 TIBCO SOFTWARE, INC., VIVEK Y.  
5 RANADIVE, CHRISTOPHER G. O'MEARA,  
6 SYDNEY CAREY and RAJESH U.  
MASHRUWALA,

7 Defendants.

CASE NO.: C-05-02373 CRB

8 WHEREAS Civil Local Rule 3-12(a) states that actions are related when (1) they  
9 "concern substantially the same parties, property, transaction or event; and (2) [i]t appears likely  
10 that there will be an unduly burdensome duplication of labor and expense or conflicting results if  
11 the cases are conducted before different judges"; and

12 WHEREAS the above-captioned matters concern the same parties, transactions and  
13 events; and

14 WHEREAS conducting the cases before different judges would result in an unduly  
15 burdensome duplication of labor and expense and create the risk of inconsistent results;

16 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that  
17 the following actions are "Related Cases" within the meaning of Civil Local Rule 3-12 and  
18 should be assigned to Judge Armstrong to whom the first-filed case is assigned:

19 *Lance Siegall v. TIBCO Software Inc., et al.*, Case No. C 05-02146 SBA

20 *Ronald Bernheim v. TIBCO Software Inc., et al.*, Case No. C 05-02205 MJJ

21 *James J. Guzzetti v. TIBCO Software Inc., et al.*, Case No. C 05-02373 CRB

22  
23 Dated: July 7, 2005

WILSON SONSINI GOODRICH & ROSATI

24 Professional Corporation

25  
26 By: /s/ Ignacio E. Salceda  
Ignacio E. Salceda

27 Counsel for Defendants Tibco Software, Inc., Vivek  
28 Y. Ranadive, Christopher G. O'Meara, Sydney  
Carey and Rajesh U. Mashruwala

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Dated: July 5, 2005

MILBERG WEISS BERSHAD  
& SCHULMAN LLP

By: Kate McCullen

Counsel for Plaintiff Lance Siegall

Dated: July \_\_, 2005

GREEN WELLING LLP

By: \_\_\_\_\_

Counsel for Plaintiff Ronald Bernheim

Dated: July \_\_, 2005

SCOTT + SCOTT, LLC

By: \_\_\_\_\_

Counsel for Plaintiff James J. Guzzetti

**[PROPOSED] ORDER**

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
SAUNDRA B. ARMSTRONG  
UNITED STATES DISTRICT COURT JUDGE

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Dated: July \_\_, 2005

MILBERG WEISS BERSHAD  
& SCHULMAN LLP

By: \_\_\_\_\_

Counsel for Plaintiff Lance Siegall

Dated: July 5, 2005

GREEN WELLING LLP

By: Robert S. Han

Counsel for Plaintiff Ronald Bernheim

Dated: July \_\_, 2005

SCOTT + SCOTT, LLC

By: \_\_\_\_\_

Counsel for Plaintiff James J. Guzzetti

**[PROPOSED] ORDER**

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
SAUNDRA B. ARMSTRONG  
UNITED STATES DISTRICT COURT JUDGE

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Dated: July \_\_, 2005

MILBERG WEISS BERSHAD  
& SCHULMAN LLP

By: \_\_\_\_\_

Counsel for Plaintiff Lance Siegall

Dated: July \_\_, 2005

GREEN WELLING LLP

By: \_\_\_\_\_

Counsel for Plaintiff Ronald Bernheim

Dated: July 7, 2005

SCOTT + SCOTT, LLC

By: /s/ Arthur L. Shingler III  
Arthur L. Shingler III

Counsel for Plaintiff James J. Guzzetti

**[PROPOSED] ORDER**

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
SAUNDRA B. ARMSTRONG  
UNITED STATES DISTRICT COURT JUDGE

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I, Ignacio E. Salceda, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order. I hereby attest that Kristen McCulloch, Robert S. Green and Arthur L. Shingler III have concurred in this filing.

Dated: July 7, 2005

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/ Ignacio E. Salceda  
Ignacio E. Salceda

Attorneys for Defendants