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6 Attorneys for Defendants
 WACHOVIA CORPORATION, WACHOVIA CAPITAL TRUST IV, WACHOVIA CAPITAL
 7 TRUST IX, WACHOVIA CAPITAL TRUST X, WACHOVIA BANK, N.A., WACHOVIA
 8 CAPITAL MARKETS, LLC, WACHOVIA SECURITIES LLC, WELLS FARGO &
 COMPANY, AS SUCCESSOR-IN-INTEREST TO WACHOVIA CORPORATION, PETER M.
 9 CARLSON, ROSS E. JEFFRIES, JR., DAVID M. JULIAN, G. KENNEDY THOMPSON,
 MARK C. TREANOR, THOMAS J. WURTZ, DONALD K. TRUSLOW, JOHN D. BAKER II,
 10 ROBERT J. BROWN, PETER C. BROWNING, JOHN T. CASTEEN, III, JEROME A. GITT,
 WILLIAM H. GOODWIN, JR., MARYELLEN C. HERRINGER, ROBERT A. INGRAM,
 11 DONALD M. JAMES, MACKEY J. MCDONALD, JOSEPH NEUBAUER, TIMOTHY D.
 PROCTOR, ERNEST S. RADY, VAN L. RICHEY, RUTH G. SHAW, LANTY L. SMITH,
 12 JOHN C. WHITAKER, JR., AND DONA DAVIS YOUNG

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

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 15 MICHAEL SWISKAY and NORMAN LEVIN, :
 16 Individually and on Behalf of All Others :
 Similarly Situated, :
 17 :
 18 Plaintiffs, : Case No. CV 09-1000 (PJH)

19 v. :

[PROPOSED] ORDER

20 WACHOVIA CORPORATION, WACHOVIA :
 CAPITAL TRUST IV, WACHOVIA CAPITAL :
 21 TRUST X, G. KENNEDY THOMPSON, :
 MARK C. TREANOR, THOMAS J. WURTZ, :
 22 PETER M. CARLSON, JOHN D. BAKER II, :
 23 ROBERT J. BROWN, PETER C. BROWNING, :
 JOHN T. CASTEEN, III, JEROME A. GITT, :
 24 WILLIAM H. GOODWIN, JR., MARYELLEN :
 C. HERRINGER, ROBERT A. INGRAM, :
 25 DONALD M. JAMES, MACKEY J. :
 MCDONALD, JOSEPH NEUBAUER, :
 26 TIMOTHY D. PROCTOR, ERNEST S. RADY, :
 VAN L. RICHEY, RUTH G. SHAW, LANTY :
 27 L. SMITH, JOHN C. WHITAKER, JR., DONA :

1 DAVIS YOUNG, WACHOVIA CAPITAL :
2 MARKETS, LLC, CITIGROUP GLOBAL :
3 MARKETS INC., MERRILL LYNCH, :
4 PIERCE, FENNER & SMITH :
5 INCORPORATED, MORGAN STANLEY & :
6 CO. INCORPORATED, and UBS :
7 SECURITIES LLC, :

8 Defendants. :

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10 ARLETTE MILLER, on Behalf of Herself :
11 and All Others Similarly Situated, :

12 Plaintiff, :

Case No. CV 09-0998 (RMW) (HRL)

13 v. :

14 WACHOVIA CORPORATION, :
15 WACHOVIA CAPITAL TRUST IX, G. :
16 KENNEDY THOMPSON, MARK C. :
17 TREANOR, THOMAS J. WURTZ, PETER M. :
18 CARLSON, JOHN D. BAKER II, ROBERT J. :
19 BROWN, PETER C. BROWNING, JOHN T. :
20 CASTEEN, III, JEROME A. GITT, WILLIAM :
21 H. GOODWIN, JR., MARYELLEN C. :
22 HERRINGER, ROBERT A. INGRAM, :
23 DONALD M. JAMES, MACKEY J. :
24 McDONALD, JOSEPH NEUBAUER, :
25 TIMOTHY D. PROCTOR, ERNEST S. RADY, :
26 VAN L. RICHEY, RUTH G. :
27 SHAW, LANTY L. SMITH, JOHN C. :
28 WHITAKER, JR., DONA DAVIS YOUNG, :
WACHOVIA CAPITAL MARKETS, LLC, :
CITIGROUP GLOBAL MARKETS INC., :
MERRILL LYNCH, PIERCE, FENNER & :
SMITH INCORPORATED, MORGAN :
STANLEY & CO. INCORPORATED, and :
UBS SECURITIES LLC, :

Defendants. :

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ORANGE COUNTY EMPLOYEES' :
RETIREMENT SYSTEM, LOUISIANA :
SHERIFFS' PENSION AND RELIEF FUND, :

1 GOVERNMENT OF GUAM RETIREMENT :
2 FUND and SOUTHEASTERN :
3 PENNSYLVANIA TRANSPORTATION :
4 AUTHORITY, Individually and on Behalf of :
5 All Others Similarly Situated, :

Case No. CV-9-0999 (MMC)

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Plaintiffs, :

v. :

PETER M. CARLSON; ROSS E. JEFFRIES, :
JR.; DAVID M. JULIAN; G. KENNEDY :
THOMPSON; MARK C. TREANOR; :
THOMAS J. WURTZ, DONALD K. :
TRUSLOW; JOHN D. BAKER, II; ROBERT J. :
BROWN; PETER C. BROWNING; JOHN T. :
CASTEEN, III; JEROME A. GITT; WILLIAM :
H. GOODWIN, JR.; MARY ELLEN C. :
HERRINGER; ROBERT A. INGRAM; :
DONALD M. JAMES; MACKKEY J. :
MCDONALD; JOSEPH NEUBAUER; :
TIMOTHY D. PROCTOR; ERNEST S. RADY; :
VAN L. RICHEY; RUTH G. SHAW; LANTY :
L. SMITH; JOHN C. WHITAKER, JR.; DONA :
DAVIS YOUNG; WACHOVIA :
CORPORATION; WACHOVIA CAPITAL :
MARKETS, LLC; WACHOVIA SECURITIES, :
LLC; WACHOVIA CAPITAL TRUST IV; :
WACHOVIA CAPITAL TRUST IX; :
WACHOVIA CAPITAL TRUST X; :
WACHOVIA BANK, N.A.; WELLS FARGO :
& COMPANY (AS SUCCESSOR-IN- :
INTEREST TO WACHOVIA :
CORPORATION); ABN AMRO :
INCORPORATED; A.G. EDWARDS & SONS, :
INC.; BANK OF AMERICA CORPORATION; :
BANC OF AMERICA SECURITIES LLC; :
BARCLAYS CAPITAL INC.; BB&T :
CAPITAL MARKETS; B.C. ZIEGLER AND :
COMPANY; BEAR, STEARNS & CO., INC.; :
BNP PARIBAS SECURITIES CORP.; :
CABRERA CAPITAL MARKETS, LLC; :
CASTLEOAK SECURITIES, L.P.; CHARLES :
SCHWAB & CO.; C.L. KING & :
ASSOCIATES, INC.; CITIGROUP GLOBAL :
MARKETS, INC.; COMERICA SECURITIES :

1 INC.; COUNTRYWIDE SECURITIES :
CORPORATION; CREDIT SUISSE :
2 SECURITIES (USA) LLC; D.A. DAVIDSON :
& CO.; DAVENPORT & COMPANY LLC; :
3 DEUTSCHE BANK SECURITIES INC.; :
4 E*TRADE SECURITIES LLC; FERRIS, :
BAKER WATTS, INCORPORATED; :
5 FIDELITY CAPITAL MARKETS SERVICES; :
FIFTH THIRD SECURITIES, INC.; FIXED :
6 INCOME SECURITIES, L.P.; FTN :
7 FINANCIAL SECURITIES CORP.; :
8 GOLDMAN, SACHS & CO.; GREENWICH :
CAPITAL MARKETS, INC.; GUZMAN & :
9 COMPANY; HOWE BARNES HOEFER & :
ARNETT, INC.; H&R BLOCK FINANCIAL :
10 ADVISORS, INC.; HSBC SECURITIES (USA):
INC.; JACKSON SECURITIES, LLC; :
11 JANNEY MONTGOMERY SCOTT LLC; J.B. :
HANAUER & CO.; JEFFERIES & :
12 COMPANY, INC.; J.J.B. HILLIARD, W.L. :
LYONS, INC.; J.P. MORGAN CHASE (AS :
13 SUCCESSOR-IN-INTEREST TO BEAR, :
14 STEARNS & CO., INC.); J.P. MORGAN :
SECURITIES INC.; JVB FINANCIAL :
15 GROUP, LLC; KEEFE, BRUYETTE & :
WOODS, INC.; KEYBANC CAPITAL :
16 MARKETS; LOOP CAPITAL MARKETS, :
17 LLC; MERRILL LYNCH, PIERCE, FENNER :
& SMITH INCORPORATED; MESIROW :
18 FINANCIAL INC.; MORGAN KEEGAN & :
COMPANY, INC.; MORGAN STANLEY & :
19 CO., INCORPORATED; M.R. BEAL & :
COMPANY; MURIEL SIEBERT & CO., INC.; :
20 NATCITY INVESTMENTS, INC.; :
OPPENHEIMER & CO. INC.; PERSHING :
21 LLC; PIPER JAFFRAY & CO.; POPULAR :
SECURITIES, INC.; RBC CAPITAL :
22 MARKETS CORPORATION; RBC DAIN :
23 RAUSCHER INC.; SAMUEL A. RAMIREZ & :
COMPANY, INC.; RAYMOND JAMES & :
24 ASSOCIATES, INC.; ROBERT W. BAIRD & :
CO.; ROSS, SINCLAIR & ASSOCIATES, :
25 LLC; RYAN BECK & CO., INC.; SANDLER :
26 O'NEILL & PARTNERS, L.P.; STERNE, :
AGEE & LEACH, INC.; STIFEL, NICOLAUS :
27 & COMPANY, INCORPORATED (ON ITS :
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1 OWN BEHALF AND AS A SUCCESSOR-IN- :
2 INTEREST TO RYAN BECK & CO., INC.); :
3 SUNTRUST CAPITAL MARKETS, INC.; TD :
4 AMERITRADE, INC.; TOUSSAINT :
5 CAPITAL PARTNERS, LLC; UBS :
6 SECURITIES LLC; UTENDAHL CAPITAL :
7 PARTNERS, L.P.; WEDBUSH MORGAN :
8 SECURITIES INC.; WELLS FARGO :
9 SECURITIES, LLC; WILLIAM BLAIR & :
10 COMPANY L.L.C.; THE WILLIAMS :
11 CAPITAL GROUP, L.P.; and KPMG LLP, :
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13 Defendants. :
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12 IT IS SO ORDERED, that Co-Lead and Class Counsel shall serve a Consolidated and
13 Amended Complaint within sixty (60) days after the Court ends an order in respect to the
14 anticipated Motion to Transfer, unless otherwise directed by the Court.

15 IT IS FURTHER SO ORDERED, that the time to answer, move against, or otherwise
16 respond to the Complaints in the above-captioned actions for Defendants Wachovia Corporation,
17 Wachovia Capital Trust IV, Wachovia Capital Trust IX, Wachovia Capital Trust X, Wachovia
18 Bank, N.A., Wachovia Capital Markets, LLC, Wachovia Securities LLC, Wells Fargo &
19 Company, as successor-in-interest to Wachovia Corporation, Peter M. Carlson, Ross E. Jeffries,
20 Jr., David M. Julian, G. Kennedy Thompson, Mark C. Treanor, Thomas J. Wurtz, Donald K.
21 Truslow, John D. Baker II, Robert J. Brown, Peter C. Browning, John T. Casteen, III, Jerome A.
22 Gitt, William H. Goodwin, Jr., Maryellen C. Herringer, Robert A. Ingram, Donald M. James,
23 Mackey J. McDonald, Joseph Neubauer, Timothy D. Proctor, Ernest S. Rady, Van L. Richey,
24 Ruth G. Shaw, Lanty L. Smith, John C. Whitaker, Jr., Dona Davis Young, Goldman, Sachs &
25 Co., Citigroup Global Markets, Inc., UBS Securities LLC, Credit Suisse Securities (USA) LLC,
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1 Utendahl Capital Partners, L.P., Samuel A. Ramirez & Company, Inc., Bank of America
2 Corporation, Banc of America Securities LLC, Merrill Lynch, Pierce, Fenner & Smith
3 Incorporated, Morgan Stanley & Co., Incorporated, and KPMG, LLP, shall be extended through
4 and include the sixtieth (60th) day after the Co-Lead and Class Counsel serve their Consolidated
5 and Amended Complaint, unless otherwise directed by the Court.
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7 IT IS FURTHER SO ORDER, that the time for any defendants served with the
8 Complaints after the date of the Stipulation Extending Time to Answer, Move, or Otherwise
9 Respond to Complaint Pending Anticipated Motion on Consent to Transfer Pursuant to 28
10 U.S.C. § 1404(a) to answer, move against or otherwise respond to the Complaints in the above-
11 captioned actions shall be no sooner than the sixtieth (60th) day after the Co-Lead and Class
12 Counsel serve their Consolidated and Amended Complaint on said defendants, unless otherwise
13 directed by the Court.
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16 DATED: March 18, 2009

17 BY:  JUDGE
18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA