SCOTT+SCOTT LLP ARTHUR L. SHINGLER III (181719) MARY K. BLASY (211262) DAVID H. GOLDBERGER (225869) 600 B Street, Suite 1500 San Diego, CA 92101 4 | Telephone: 619-233-4565 IT IS SO ORDERED Facsimile: 619-233-0508 5 ashingler@scott-scott.com mblasy@scott-scott.com dgoldberger@scott-scott.com 6 - and -DAVID R. SCOTT P.O. Box 192 108 Norwich Avenue Colchester, CT 06415 Telephone: 860-537-3818 Facsimile: 860-537-4432 drscott@scott-scott.com 10 Lead Counsel for Lead Plaintiff 11 12 UNITED STATES DISTRICT COURT 13 NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION 14 SHARON HODGES, On Behalf of Herself and No. C-09-02147 JW-RS 15 All Others Similarly Situated, STIPULATION AND PROPE 16 Plaintiff, SCHEDULING ORDER Hon. James Ware 17 VS. 18 AKEENA SOLAR, INC., BARRY CINNAMON and GARY EFFREN, 19 Defendants. 20 21 22 23 24 25 26 27 28 STIPULATION AND [PROPOSED] SCHEDULING ORDER

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09-cv-02147-JW-RS

1	WHEREAS, on May 18, 2009, Hodges v. Akeena Solar, Inc	WHEREAS, on May 18, 2009, Hodges v. Akeena Solar, Inc., No. C-09-02147 JW-RS, was	
2	2 filed herein;	filed herein;	
3	WHEREAS, pursuant to a stipulation executed by the parties and submitted to the Court of		
4	June 4, 2009, the parties agreed that Defendants Akeena Solar Inc., Barry Cinnamon and Gar		
5	Effren ("Defendants") were not required to respond to the complaint filed in this action before a lead		
6	plaintiff was selected and that instead the parties would jointly "file a stipulated briefing schedule fo		
7	approval by the court" within 20 days of a lead plaintiff being selected;		
8	WHEREAS, on October 21, 2009, the Court appointed Sharon Hodges, Joel Gentleman an		
9	David H. Gordon as Lead Plaintiffs and approved their selection of Scott+Scott LLP as Lead		
10	Counsel for Lead Plaintiffs; and		
11	WHEREAS, pursuant to the Court's Order Setting Initial Case	se Management Conference and	
12	ADR Deadlines entered May 18, 2009, a Case Management Conference is presently scheduled in		
13	this matter on December 14, 2009 at 10:00 a.m.;		
14	NOW, THEREFORE, the parties, by and through their undersigned counsel of record, ir		
15	the interests of judicial economy, hereby agree and stipulate, and the Court hereby orders, a		
16	16 follows:		
17	17 Lead Plaintiffs shall file their amended complaint by	y December 9, 2009;	
18	2. Defendants shall file any motions to dismiss by Feb.	ruary 12, 2010;	
19	19 3. Lead Plaintiffs shall file any oppositions to Defendar	nts' motions to dismiss by	
20	20 March 29, 2010;		
21	4. Defendants shall file their replies in support of their	motions to dismiss by	
22	April 30, 2010;		
23	23 On May 24, 2010 at 9 a.m. , the parties shall appear	for the hearing on Defendants	
24	24 Motion to Dismiss.		
25	25		
26	26		
27	27		
28	28		

1	6. The Case Management Conference currently scheduled for December 14, 2009		
2	at10:00 a.m., is VACATED. The Court will set a new date in its Order addressing Defendants'		
3	Motion to Dismiss.		
4	DATED: November 16, 2009 Respectfully submitted,		
5			
6	SCOTT+SCOTT LLP		
7	Arthur J. Shingler Mary K. Blasy David H. Goldberger		
8	600 B Street, Suite 1500		
9	San Diego, CA 92101 Telephone: 619-233-4565 Facsimile: 619-233-0508		
10	1 acsimile. 017-233-0308		
11	/s/ Mary K. Blasy		
12	MARY K. BLAŠY		
13	Lead Counsel for Lead Plaintiff		
14			
15	DATED: November 16, 2009 WILSON SONSINI GOODRICH & ROSATI PROFESSIONAL CORPORATION		
16	Steven M. Schatz Douglas J. Clark		
17	Kelley M. Kinney Dominique-Chantale Alepin		
18	650 Page Mill Road Palo Alto, CA 94304		
19	Telephone: (650) 493-9300		
20	Facsimile: (650) 493-6811		
21	By: /s/ Dominique-Chantale Alepin DOMINIQUE-CHANTALE ALEPIN		
22			
23	Attorneys for Defendants Akeena Solar, Inc., Barry Cinnamon and Gary Effren		
24			
	ORDER		
25	PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.		
26			
27	Dated: December 8, 2009 JAMES WARE		
28	United States District Judge		