

1 SCOTT+SCOTT LLP  
 ARTHUR L. SHINGLER III (181719)  
 2 MARY K. BLASY (211262)  
 DAVID H. GOLDBERGER (225869)  
 3 600 B Street, Suite 1500  
 San Diego, CA 92101  
 4 Telephone: 619-233-4565  
 Facsimile: 619-233-0508  
 5 ashingler@scott-scott.com  
 mblasy@scott-scott.com  
 6 dgoldberger@scott-scott.com

- and -

7 DAVID R. SCOTT  
 P.O. Box 192  
 8 108 Norwich Avenue  
 Colchester, CT 06415  
 9 Telephone: 860-537-3818  
 Facsimile: 860-537-4432  
 10 drscott@scott-scott.com

11 *Lead Counsel for Lead Plaintiff*

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

15 SHARON HODGES, On Behalf of Herself and  
 All Others Similarly Situated,

16 Plaintiff,

17 vs.

18 AKEENA SOLAR, INC., BARRY CINNAMON  
 and GARY EFFREN,  
 19 Defendants.

No. C-09-02147 JW-RS  
 SECOND STIPULATION RE  
 SCHEDULING ORDER

Hon. James Ware

1 Pursuant to stipulation executed by the parties and submitted to the Court on November 16,  
2 2009, and by Order entered by the Court on December 8, 2009, the parties agreed that Lead  
3 Plaintiffs' amended complaint was to be filed on December 9, 2009;

4 **WHEREAS**, Lead Plaintiffs' counsel has requested and Defendants have agreed to a short  
5 two-day extension of time for Lead Plaintiffs to file the amended complaint due to a catastrophic  
6 computer hard drive failure and attendant loss of work product;

7 **WHEREAS**, the requested extension will have no effect on the dates set by the Court in its  
8 December 8, 2009 Order for Defendants' motion(s) to dismiss, for Lead Plaintiffs to file their  
9 opposition(s) to Defendants' motion(s) to dismiss, or the Defendants' reply briefs; and

10 **WHEREAS**, the requested extension will not alter or delay the date set by the Court in its  
11 December 8, 2009 Order for the hearing on Defendants' motion(s) to dismiss;

12 **NOW, THEREFORE**, the parties, by and through their undersigned counsel of record, in  
13 the interests of judicial economy, hereby agree and stipulate, and the Court hereby orders, as  
14 follows:

- 15 1. Lead Plaintiffs shall file their amended complaint by December 11, 2009;
- 16 2. Defendants shall file any motions to dismiss by February 12, 2010;
- 17 3. Lead Plaintiffs shall file any oppositions to Defendants' motions to dismiss by March  
18 29, 2010;
- 19 4. Defendants shall file their replies in support of their motions to dismiss by April 30,  
20 2010; and

1           5.       The Court will hear oral argument on Defendants' motions to dismiss on May 24,  
2 2010, at 9:00 a.m.

3  
4 DATED: December 9, 2009

Respectfully submitted,

5  
6 SCOTT+SCOTT LLP  
7 Arthur J. Shingler  
8 Mary K. Blasy  
9 David H. Goldberger  
10 600 B Street, Suite 1500  
11 San Diego, CA 92101  
12 Telephone: 619-233-4565  
13 Facsimile: 619-233-0508

14  
15 /s/ Mary K. Blasy  
16 MARY K. BLASY

17 *Lead Counsel for Lead Plaintiff*

18  
19 DATED: December 9, 2009

20 WILSON SONSINI GOODRICH & ROSATI  
21 PROFESSIONAL CORPORATION  
22 Steven M. Schatz  
23 Douglas J. Clark  
24 Kelley M. Kinney  
25 Dominique-Chantale Alepin  
26 650 Page Mill Road  
27 Palo Alto, CA 94304  
28 Telephone: (650) 493-9300  
Facsimile: (650) 493-6811

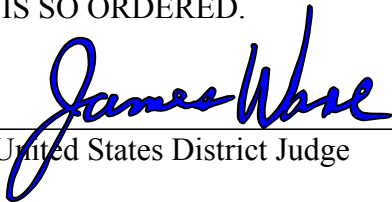
By: /s/ Kelley M. Kinney  
KELLEY M. KINNEY

*Attorneys for Defendants Akeena Solar, Inc., Barry  
Cinnamon and Gary Effren*

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

29 Dated: December 14, 2009

  
United States District Judge

30 STIPULATION AND [PROPOSED] ORDER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Mary Blasy, attest that concurrence in the filing of this document has been obtained from signatory KELLEY M. KINNEY. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 9th day of December, 2009 at San Diego, California.

**CERTIFICATE OF SERVICE**

I also certify that on December 9, 2009, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the 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 December 9, 2009.

/s/Mary K. Blasy  
MARY K. BLASY  
SCOTT+SCOTT LLP  
600 B Street, Suite 1500  
San Diego, CA 92101  
Telephone: 619-233-4565  
Fax: 619-233-0508  
E-mail: [mblasy@scott-scott.com](mailto:mblasy@scott-scott.com)

*Lead Counsel for Lead Plaintiff*