

1 SCOTT+SCOTT LLP  
 2 ARTHUR L. SHINGLER III (181719)  
 3 MARY K. BLASY (211262)  
 4 WALTER W. NOSS (*pro hac vice*)  
 5 DAVID H. GOLDBERGER (225869)  
 6 707 Broadway, Suite 1000  
 7 San Diego, CA 92101  
 8 Telephone: 619-233-4565  
 9 Facsimile: 619-233-0508  
 10 ashingler@scott-scott.com  
 11 mblasy@scott-scott.com  
 12 dgoldberger@scott-scott.com  
 13 - and -  
 14 DAVID R. SCOTT (*pro hac vice*)  
 15 P.O. Box 192  
 16 156 South Main Street  
 17 Colchester, CT 06415  
 18 Telephone: 860-537-3818  
 19 Facsimile: 860-537-4432  
 20 drscott@scott-scott.com

*Lead Counsel for Lead Plaintiff*

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

SHARON HODGES, *et al.*,  
 Plaintiff,  
 vs.  
 AKEENA SOLAR, INC., *et al.*,  
 Defendants.

No. C-09-02147 JW-PVT  
 STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE ON PLAINTIFFS' MOTION FOR CLASS CERTIFICATION  
 Hon. James Ware

STIPULATION AND [PROPOSED] ORDER RE BRIEFING SCHEDULE FOR CLASS CERTIFICATION

1 Pursuant to stipulation executed by the parties and submitted to the Court on June 24, 2010,  
2 and by Order entered by the Court on June 29, 2010, the parties agreed that Lead Plaintiffs' Motion  
3 for Class Certification is due October 15, 2010, Defendants' response to Lead Plaintiffs' motion for  
4 Class Certification is due November 29, 2010 and Lead Plaintiffs' reply in support of their Motion  
5 for Class Certification is due January 10, 2011;

6 **WHEREAS**, Lead Plaintiffs' counsel has requested and Defendants have agreed to a short  
7 seven-day extension of time for Lead Plaintiffs to file their Motion for Class Certification in light of  
8 Lead Plaintiffs' expert's illness;

9 **WHEREAS**, Lead Plaintiffs agreed to likewise extend time for Defendants to file their  
10 response and Defendants agreed to extend the deadline on Lead Plaintiffs' reply;

11 **WHEREAS**, the requested extension will not alter or delay the date set by the Court in its  
12 June 29, 2010 Order for the hearing on Lead Plaintiffs' Motion for Class Certification, which the  
13 Court previously set for February 7, 2011;

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

- 17 1. Lead Plaintiffs shall file their Motion for Class Certification on or before October 22,  
18 2010;
- 19 2. Defendants shall file their response on or before December 8, 2010;
- 20 3. Lead Plaintiffs shall file their reply on or before January 13, 2011; and

1           4.       The Court will hear oral argument on Lead Plaintiffs' Motion for Class Certification  
2 on February 7, 2011 at 9:00 a.m.

3  
4 DATED: October 12, 2010

SCOTT+SCOTT LLP

5 Arthur J. Shingler  
6 Mary K. Blasy  
7 Walter W. Noss  
8 David H. Goldberger  
9 707 Broadway, Suite 1000  
10 San Diego, CA 92101  
11 Telephone: 619-233-4565  
12 Facsimile: 619-233-0508

13  
14 /s/ Mary K. Blasy

MARY K. BLASY

*Lead Counsel for Lead Plaintiff*

15 DATED: October 12, 2010

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

26 By: /s/ Dominique-Chantale Alepin  
DOMINIQUE-CHANTALE ALEPIN

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

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

29 Dated: October 14, 2010

  
United States District Judge

30 STIPULATION AND [PROPOSED] ORDER RE BRIEFING  
31 SCHEDULE FOR CLASS CERTIFICATION

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 Dominique-Chantale Alepin. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 12<sup>th</sup> day of October, 2010 at San Diego, California.

**CERTIFICATE OF SERVICE**

I also certify that on October 12, 2010, 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 October 12, 2010.

/s/Mary K. Blasy  
MARY K. BLASY  
SCOTT+SCOTT LLP  
707 Broadway, Suite 1000  
San Diego, CA 92101  
Telephone: 619-233-4565  
Fax: 619-233-0508  
E-mail: mblasy@scott-scott.com

*Lead Counsel for Lead Plaintiff*