

1 LIONEL Z. GLANCY (#134180)
 2 MICHAEL GOLDBERG (#188669)
 3 GLANCY BINKOW & GOLDBERG LLP
 1801 Avenue of the Stars, Suite 311
 Los Angeles, California 90067
 4 Telephone: (310) 201-9150
 Facsimile: (310) 201-9160
 5 E-mail: info@glancylaw.com

E-Filed 7/15/2010

6 *Lead Counsel for Plaintiffs*

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN JOSE DIVISION

11 ROBERT CURRY, Individually and on
 12 Behalf of All Others Similarly Situated,

13 Plaintiff,

14 v.

15 HANSEN MEDICAL, INC., FREDERIC H.
 16 MOLL, STEVEN M. VAN DICK, and
 GARY C. RESTANI,

17 Defendants.

No. 5:09-cv-05094-JF

Class Action

**STIPULATION AND [PROPOSED]
 ORDER RE FILING OF A SECOND
 CONSOLIDATED AMENDED
 COMPLAINT AND DEFENDANTS'
 RESPONSES THERETO**

Judge: Hon. Jeremy Fogel

18 AND RELATED ACTIONS

19
 20 WHEREAS, by Stipulation and Order dated April 26, 2010 (Docket #21), the parties set a
 21 schedule for filing of a Consolidated Amended Complaint for Violations of the Federal Securities
 22 Laws (the "Consolidated Amended Complaint") and Defendants' contemplated motion(s) to dismiss;

23 WHEREAS, the April 26, 2010 Stipulation and Order provides that (i) Lead Plaintiffs shall
 24 file a Consolidated Amended Complaint no later than May 10, 2010, (ii) Defendants shall respond
 25 to the Consolidated Amended Complaint on or before July 9, 2010, (iii) Lead Plaintiffs shall respond
 26 to any motion to dismiss on or before August 23, 2010, and (iv) Defendants shall file any reply on
 27 or before September 22, 2010;
 28

No. 09-cv-05094-JF
 STIPULATION AND [PROPOSED] ORDER RE FILING OF A [PROPOSED]
 SECOND AMENDED COMPLAINT AND DEFENDANTS' RESPONSES THERETO

1 WHEREAS, Lead Plaintiffs Consolidated Amended Complaint was filed with the Court on
2 May 10, 2010;

3 WHEREAS, on May 11, 2010, Lead Plaintiffs filed a [Corrected] Consolidated Amended
4 Complaint, which corrected the Consolidated Amended Complaint only insofar as the [Corrected]
5 Consolidated Amended Complaint added the names of defendants Frederic H. Moll, Steven M. Van
6 Dick and Gary C. Restani to the caption;

7 WHEREAS, after filing the [Corrected] Consolidated Amended Complaint, Lead Plaintiffs
8 diligently continued to investigate their claims and Lead Plaintiffs' investigator found additional
9 information highly relevant to the allegations contained in the [Corrected] Consolidated Amended
10 Complaint;

11 WHEREAS, Lead Plaintiffs determined that in the interest of judicial economy, rather than
12 proceeding with briefing on the [Corrected] Consolidated Amended Complaint, at this juncture, it
13 would be more efficient to further amend the [Corrected] Consolidated Amended Complaint to
14 include the new information obtained by Lead Plaintiffs;

15 WHEREAS, through their counsel, Lead Plaintiffs promptly notified counsel for the
16 Defendants of Lead Plaintiffs' intention to further amend the [Corrected] Consolidated Amended
17 Complaint;

18 WHEREAS, counsel for the parties have further conferred and agreed regarding the filing
19 of a Second Consolidated Amended Complaint and a new briefing schedule thereon; and

20 WHEREAS, the parties have agreed that a copy of the [Proposed] Second Consolidated
21 Amended Complaint (attached hereto as Exhibit A) should be filed;

22 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, and respectfully
23 request that the Court enter an Order as follows:

24
25
26 1. Lead Plaintiffs will file and serve the Second Consolidated Amended Complaint
27 within ten (10) calendar days of the Court's entry of this Stipulation and Order;

28

1 2. Defendants shall respond to the Second Consolidated Amended Complaint on or
2 before September 17, 2010;

3 3. In the event Defendants file a motion(s) to dismiss, Lead Plaintiffs shall file their
4 oppositions to defendants' motion(s) to dismiss on or before November 1, 2010;

5 4. Defendants shall file their repl(ies) on or before December 10, 2010; and

6 5. Defendants shall notice their motions to dismiss for hearing on January 14, 2011, at
7 9:00 a.m. in Courtroom 3.

8
9 **IT IS SO STIPULATED.**

10
11 DATED: July 6, 2010

GLANCY BINKOW & GOLDBERG LLP

12
13 By: /s/ Michael Goldberg

14 Lionel Z. Glancy
 Michael Goldberg

15 *Lead Counsel for Lead Plaintiffs*

16
17 DATED: July 6, 2010

BINGHAM MCCUTCHEN LLP

18
19 By: /s/ John D. Pernick

20 David M. Balabanian (# 37368)
 Charlene S. Shimada (# 91407)
 John D. Pernick (#1155468)

21
22 *Counsel for Defendants Hansen Medical, Inc.,*
23 *Frederic H. Moll, Steven M. Van Dick, and Gary*
 C. Restani

24 I, Michael Goldberg, am the ECF User whose ID and password are being used to file this
25 STIPULATION AND [PROPOSED] ORDER. In compliance with General Order 45, X.B., I
26 hereby attest that John D. Pernick has concurred in this filing.

27 /s/ Michael Goldberg

28 Michael Goldberg

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

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: July 15, 2010

By: 
The Honorable Jeremy Fogel
United States District Judge

1
2 **PROOF OF SERVICE BY ELECTRONIC POSTING PURSUANT TO NORTHERN**
3 **DISTRICT OF CALIFORNIA LOCAL RULES AND ECF GENERAL ORDER NO. 45**
4 **AND BY MAIL ON ALL KNOWN NON-REGISTERED PARTIES**

5 I, the undersigned, say:

6 I am a citizen of the United States and am employed in the office of a member of the Bar of
7 this Court. I am over the age of 18 and not a party to the within action. My business address is 1801
8 Avenue of the Stars, Suite 311, Los Angeles, California 90067.

9 On July 6, 2010, I caused to be served the following document:

10 **STIPULATION AND [PROPOSED] ORDER RE FILING OF A SECOND**
11 **CONSOLIDATED AMENDED COMPLAINT AND DEFENDANTS' RESPONSES**
12 **THERE TO**

13 on all ECF-registered parties in the action as follows:

14 **See attached Service List.**

15 I certify under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct. Executed on July 6, 2010, at Los Angeles, California.

17 *s/ Michael Goldberg*
18 Michael Goldberg

Mailing Information for a Case 5:09-cv-05094-JF

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Peter Arthur Binkow**
info@glancylaw.com,pbinkow@glancylaw.com
- **Michael M. Goldberg**
info@glancylaw.com
- **John D. Pernick**
john.pernick@bingham.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Lionel Z Glacny
Glancy Binkow & Goldberg LLP
1801 Avenue of the Stars
Suite 311
Los Angeles, CA 90067