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**\*E-FILED - 6/23/11\***

6 Attorneys for Defendants  
7 XENOPORT, INC., RONALD W. BARRETT, WILLIAM J.  
8 RIEFLIN, DAVID A. STAMLER, MARK A. GALLOP and  
DAVID R. SAVELLO

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

12 IN RE XENOPORT, INC. SECURITIES  
13 LITIGATION

Case No. 10-CV-3301 RMW

**STIPULATION AND ☐ ORDER  
EXTENDING TIME TO RESPOND TO FIRST  
AMENDED COMPLAINT**

1 WHEREAS, on June 14, 2010, plaintiff Ie-Chen Cheng ("Plaintiff") filed the First  
2 Amended Complaint ("FAC") in this action;

3 WHEREAS, plaintiff and all defendants agree that due to the schedules of the parties and  
4 their attorneys, defendants' time to answer or otherwise respond to the FAC, and any subsequent  
5 briefing schedule, should be extended.

6 NOW THEREFORE, IT IS STIPULATED, pursuant to Civil L.R. 6-1, by and between  
7 plaintiff and defendants that the time by which defendants must answer or otherwise respond to  
8 the FAC shall be extended to July 29, 2011;

9 If defendants respond to the FAC by filing a motion under Fed. R. Civ. P. 12, lead  
10 plaintiff shall have until August 29, 2011 to file an opposition to the motion;

11 Defendants shall have until September 14, 2011 to file a reply in support of the motion;  
12 and

13 The hearing on the motion shall take place on Friday, September 23, 2011 or as soon  
14 thereafter as the Court is available.

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17  
18 Dated: June 17, 2011

COOLEY LLP

19 *I, Adam Trigg, am the ECF User whose ID*  
20 *and password are being used to file this*  
21 *Stipulation and [Proposed] Order*  
22 *Extending Time to Respond to First*  
23 *Amended Complaint. In compliance with*  
24 *General Order 45.X.B., I hereby attest that*  
25 *Samuel Rosen has concurred in this filing.*

\_\_\_\_\_/s/  
Adam Trigg (261498)  
Attorneys for Defendants  
XENOPORT, INC., RONALD W. BARRETT,  
WILLIAM J. RIEFLIN, DAVID A. STAMLER,  
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HARWOOD FEFFER LLP

\_\_\_\_\_/s/  
Samuel K. Rosen  
Co-Lead Class Counsel

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**ORDER**

IT IS SO ORDERED.

DATED: 6/23/11



THE HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE