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11 Attorneys for Nominal Defendant  
 12 Hewlett-Packard Company

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 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

17 SAGINAW POLICE & FIRE PENSION  
 FUND,

18 Plaintiff,

19 vs.

20 MARC L. ANDREESSEN, LAWRENCE  
 T. BABBIO, SARI M. BALDAUF, RAJIV  
 L. GUPTA, JOHN H. HAMMERGREN,  
 21 MARK V. HURD, JOEL Z. HYATT,  
 JOHN R. JOYCE, ROBERT L. RYAN,  
 22 LUCILLE S. SALHANY, and G.  
 KENNEDY THOMPSON,

23 Defendants.

24 – and –

25 HEWLETT-PACKARD COMPANY, a  
 Delaware corporation,

26 Nominal Defendant.  
 27

Case No. 5:10-CV-04720-LHK

**STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND TIME TO FILE  
 RESPONSE TO COMPLAINT AND TO  
 ESTABLISH BRIEFING SCHEDULE**

Dept.: Courtroom 4, 5th Floor  
 Judge: Hon. Lucy H. Koh

Trial Dates: None Set

1 Plaintiff Saginaw Police & Fire Pension Fund (“Saginaw”), Defendants Marc L.  
2 Andreessen, Lawrence T. Babbio, Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Mark  
3 V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L. Ryan, Lucille S. Salhany, and G. Kennedy  
4 Thompson (collectively, the “Individual Defendants”), and Nominal Defendant Hewlett-Packard  
5 Company (“HP”) stipulate as follows:

6 WHEREAS, Plaintiff Saginaw filed this action captioned *Saginaw Police & Fire Pension*  
7 *Fund v. Marc L. Andreessen, et al.* (Case No. 5:10-CV-4720-LHK) in this Court on October 19,  
8 2010;

9 WHEREAS, on November 11, 2010, the parties submitted a stipulation to the Court  
10 wherein they agreed to a date by which Individual Defendants and HP would respond to the  
11 complaint and to a briefing schedule related to any motions filed in response to the complaint  
12 (Docket No. 21);

13 WHEREAS, on November 12, 2010, the Court approved the parties’ stipulation and  
14 entered it as an order (Docket No. 25);

15 WHEREAS, the parties now agree to extend further the dates by which the Individual  
16 Defendants and HP may answer, move or otherwise respond to the complaint and the briefing  
17 schedule related to any motion to dismiss, or any motion otherwise responding to, the complaint  
18 in this action;

19 NOW, THEREFORE, the parties agree as follows:

20 1. The date by which Defendants Marc L. Andreessen, Lawrence T. Babbio,  
21 Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Mark V. Hurd, Joel Z. Hyatt, John R.  
22 Joyce, Robert L. Ryan, Lucille S. Salhany, and G. Kennedy Thompson and Nominal Defendant  
23 Hewlett-Packard Company shall answer, move or otherwise respond to the complaint in this  
24 action, which was January 13, 2011, shall now be February 3, 2011.

25 2. The date by which Plaintiff Saginaw Police & Fire Pension Fund shall file  
26 its opposition brief to any motion to dismiss, or any motion otherwise responding to, the  
27 complaint in this action, which was February 28, 2011, shall now be March 21, 2011.

28 3. The date by which Defendants Marc L. Andreessen, Lawrence T. Babbio,

STIP. TO EXTEND TIME TO FILE  
RESPONSE TO COMPLAINT AND EST.  
BRIEFING SCHEDULE

1 Sari M. Baldauf, Rajiv L. Gupta, John H. Hammergren, Mark V. Hurd, Joel Z. Hyatt, John R.  
2 Joyce, Robert L. Ryan, Lucille S. Salhany, and G. Kennedy Thompson and Nominal Defendant  
3 Hewlett-Packard Company shall file any reply briefs in support of any motion to dismiss, or any  
4 motion otherwise responding to, the complaint in this action, which was March 21, 2011, shall  
5 now be April 11, 2011.

6 4. Defendants Marc L. Andreessen, Lawrence T. Babbio, Sari M. Baldauf,  
7 Rajiv L. Gupta, John H. Hammergren, Mark V. Hurd, Joel Z. Hyatt, John R. Joyce, Robert L.  
8 Ryan, Lucille S. Salhany, and G. Kennedy Thompson preserve their rights to object to this action  
9 on grounds of improper venue or lack of personal jurisdiction.

10 5. This stipulation is made without prejudice to the parties later agreeing to a  
11 further stipulation extending the time to answer, move or otherwise respond to the complaint in  
12 this action, and without prejudice to any party later seeking an order from the Court seeking a  
13 new date to answer, move or otherwise respond to the complaint in this action.

14 Dated: January 5, 2011

MORGAN, LEWIS & BOCKIUS LLP

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17 By: /s/ Marc J. Sonnenfeld

Marc J. Sonnenfeld  
Attorneys for Nominal Defendant  
Hewlett-Packard Company

18  
19 I, Marc J. Sonnenfeld, am the ECF User whose ID and password are being used to file this  
20 STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME TO FILE RESPONSIVE  
21 PLEADINGS AND TO ESTABLISH BRIEFING SCHEDULE. In compliance with General  
Order 45, X.B., I hereby attest that each of the three signatories below has concurred with this  
filing.

22 Dated: January 5, 2011

SCOTT + SCOTT LLP

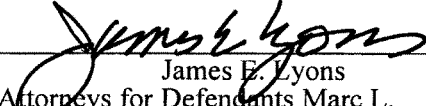
23  
24 By: /s/ Mary K. Blasy

Mary K. Blasy  
Attorneys for Plaintiff Saginaw Police &  
Fire Pension Fund

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Dated: January 5, 2011

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By:   
James E. Lyons  
Attorneys for Defendants Marc L.  
Andreessen, Lawrence T. Babbio, Sari M.  
Baldauf, Rajiv L. Gupta, John H.  
Hammergren, Joel Z. Hyatt, John R. Joyce,  
Robert L. Ryan, Lucille S. Salhany, and G.  
Kennedy Thompson

Dated: January \_\_, 2011

ALLEN MATKINS LECK GAMBLE  
MALLORY & NASTIS LLP

By: \_\_\_\_\_  
Lawrence D. Lewis  
Attorneys for Defendant Mark V. Hurd

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: \_\_\_\_\_, 2011

\_\_\_\_\_  
HON. LUCY H. KOH  
United States District Court Judge  
Northern District of California

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Dated: January 5, 2011

SKADDEN, ARPS, SLATE, MEAGHER &  
FLOM LLP

By: /s/ James E. Lyons

James E. Lyons  
Attorneys for Defendants Marc L.  
Andreessen, Lawrence T. Babbio, Sari M.  
Baldauf, Rajiv L. Gupta, John H.  
Hammergren, Joel Z. Hyatt, John R. Joyce,  
Robert L. Ryan, Lucille S. Salhany, and G.  
Kennedy Thompson

Dated: January 5, 2011

ALLEN MATKINS LECK GAMBLE  
MALLORY & NASTIS LLP

By: /s/ Lawrence D. Lewis

Lawrence D. Lewis  
Attorneys for Defendant Mark V. Hurd

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Dated: January 11, 2011



HON. LUCY H. KOH  
United States District Court Judge  
Northern District of California