

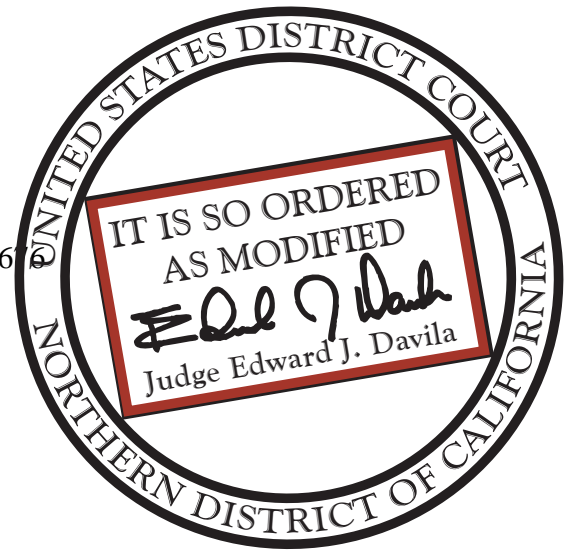
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 HEWLETT-PACKARD COMPANY

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

15 A.J. COPELAND,  
 16 Plaintiff,  
 17 v.  
 18 RAYMOND J. LANE, GARY REINER, LEO  
 19 APOTHEKER, MEG WHITMAN, SHUMEET  
 20 BANERJI, PATRICIA RUSSO, DOMINIQUE  
 21 SENEQUIER, G. KENNEDY THOMPSON,  
 22 MARK V. HURD, MARC L. ANDREESSEN,  
 23 SARI M. BALDAUF, RAJIV L. GUPTA,  
 24 LAWRENCE T. BABBIO, JR., JOHN H.  
 25 HAMMERGREN, JOEL Z. HYATT, JOHN R.  
 26 JOYCE, LUCILLE S. SALHANY, and ROBERT  
 27 L. RYAN,  
 28 Defendants,  
 – and –  
 HEWLETT-PACKARD COMPANY, a  
 Delaware corporation,  
 Nominal Defendant.



) CASE NO.: CV-11-01058-EJD  
 )  
 ) **JOINT STIPULATION AND**  
 ) **~~PROPOSED~~ ORDER REGARDING**  
 ) **CASE SCHEDULE**  
 )  
 )  
 ) Hearing Date: December 2, 2011  
 ) Hearing Time: 9:00 a.m.  
 ) Courtroom 1, 5th Floor  
 ) Before: Hon. Edward J. Davila

1 Plaintiff A. J. Copeland (“Plaintiff”), nominal defendant Hewlett-Packard Company  
2 (“HP” or the “Company”), and defendants Raymond J. Lane, Gary Reiner, Leo Apotheker, Meg  
3 Whitman, Shumeet Banerji, Patricia Russo, Dominique Senequier, G. Kennedy Thompson, Mark  
4 V. Hurd, Marc L. Andreessen, Sari M. Baldauf, Rajiv L. Gupta, Lawrence T. Babbio, John H.  
5 Hammergren, Joel Z. Hyatt, John R. Joyce, Lucille S. Salhany, and Robert L. Ryan (the  
6 “Individual Defendants”) stipulate as follows:

7 WHEREAS, Plaintiff has filed a complaint in this action captioned *A. J. Copeland*  
8 *Individually and Derivatively on behalf of Hewlett-Packard Company vs. Raymond J. Lane,*  
9 *Gary Reiner, Leo Apotheker, Meg Whitman, Shumeet Banerji, Patricia Russo, Dominique*  
10 *Senequier, G. Kennedy Thompson, Mark. V. Hurd, Marc L. Andreessen, Sari M. Baldauf, Rajiv*  
11 *L. Gupta, Lawrence T. Babbio, John H. Hammergren, Joel Z. Hyatt, John R. Joyce, Lucille S.*  
12 *Salhany, and Robert L. Ryan* (the “Complaint”);

13 WHEREAS, on April 6, 2011, HP filed a motion to dismiss the Complaint;

14 WHEREAS, on May 11, 2011, and prior to the date on which any of the Individual  
15 Defendants was required to respond to the Complaint, the Honorable Charles R. Breyer stayed  
16 proceedings until June 17, 2011 but provided that HP’s motion to dismiss could be re-noticed;

17 WHEREAS, also on May 11, 2011, this matter was reassigned from Judge Breyer to this  
18 Court;

19 WHEREAS, on July 22, 2011, the Court provided notice to the parties that the hearing on  
20 HP’s motion to dismiss had been reset to December 2, 2011 at 9:00 a.m.;

21 WHEREAS, also on July 22, 2011, pursuant to a stipulation between Plaintiff and the  
22 Individual Defendants, the Court ordered the Individual Defendants to answer, move, or  
23 otherwise respond to the Complaint by August 19, 2011;

24 WHEREAS, on August 10, 2011, Plaintiff re-filed his opposition to HP’s motion to  
25 dismiss;

26 WHEREAS, the Committee denominated as the Independent Committee of HP’s Board  
27 of Directors has completed an investigation of the allegations made by Plaintiff in his Complaint  
28 and litigation demands, and has provided its final report to HP’s Board (the “Report”);

1           WHEREAS, HP and Plaintiff have executed a confidentiality agreement concerning the  
2 Report, and anticipate that the Report will be provided to Plaintiff shortly; and

3           WHEREAS, Plaintiff will evaluate the Report and inform the Court and the parties as to  
4 whether he intends to 1) voluntarily dismiss this case or 2) file an amended complaint;

5           NOW, THEREFORE, the parties agree as follows:

- 6           1.       Plaintiff has no further obligation to respond to HP's re-noticed motion to  
7                   dismiss, and HP has no obligation to file any further reply brief with respect to  
8                   HP's motion to dismiss.
- 9           2.       The Individual Defendants have no obligation to answer, move, or otherwise  
10                  respond with respect to the Complaint.
- 11          3.       If, after reviewing the Report, Plaintiff elects to file an amended complaint, then  
12                  the parties shall cooperate in negotiating in good faith the timing of the filing of  
13                  the amended complaint and a briefing schedule.
- 14          4.       This stipulation is without prejudice to any party seeking additional relief via  
15                  stipulation or court order.

16 **All matters currently scheduled for hearing on 12/2/2011 shall remain as set unless**  
17 **otherwise ordered.**

18 **The parties shall clarify for the court whether the Motion to Dismiss will proceed on**  
19 **12/2/2011 in a brief joint statement filed on or before 11/10/2011. A complete CMC**  
20 **statement is due on or before 11/25/2011.**

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**ATTESTATION PURSUANT TO GENERAL ORDER 45**

I, Bryan J. Ketroser, am the ECF User whose identification and password are being used to file the **JOINT STIPULATION AND [PROPOSED] ORDER REGARDING CASE SCHEDULE**. In compliance with General Order 45.X.B, I hereby attest that each of the signatories above has concurred in this filing.

Dated: August 15, 2011

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By: /s/Bryan J. Ketroser  
Bryan J. Ketroser

*Counsel for Nominal Defendant  
Hewlett-Packard Company*