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9 Attorneys for Defendants FINISAR
 10 CORPORATION, JERRY S. RAWLS, EITAN
 11 GERTEL, and KURT ADZEMA

11 [Counsel for Lead Plaintiff listed on signature
 12 page]

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 MARTIN DERCHI-RUSSO, Individually
 16 and on Behalf of All Others Similarly
 17 Situated,

17 *Plaintiff,*

18 vs.

19 FINISAR CORPORATION, JERRY S.
 20 RAWLS, EITAN GERTEL, and KURT
 21 ADZEMA,

21 *Defendants*

Case No. CV 11-1252 EJD HRL
Class Action

**STIPULATION AND [PROPOSED] ORDER
 REGARDING SCHEDULING OF
 CONSOLIDATED COMPLAINT AND
 CASE CAPTION**

1 STIPULATION

2 Lead Plaintiff Oklahoma Firefighters Pension and Retirement System (“Lead Plaintiff”)
3 and Defendants Finisar Corporation, Jerry S. Rawls, Eitan Gertel, and Kurt Adzema (collectively
4 “Defendants”) hereby stipulate as follows:

5 WHEREAS, by Order dated October 27, 2011, the Court granted Lead Plaintiff’s motion
6 for appointment as Lead Plaintiff in this securities class action litigation involving Finisar
7 Corporation, and appointed its counsel as Lead Counsel; and,

8 WHEREAS, by the same Order, the Court also granted Lead Plaintiff’s motion to
9 consolidate the two related securities class action cases involving Finisar Corporation, under the
10 lower case number 5:11-CV-01252-EJD; and,

11 WHEREAS, by the same Order, the Court ordered Defendants and the appointed Lead
12 Counsel to meet and confer in order to agree on a schedule for the next stage of the case,
13 including the timing of a consolidated complaint and motion to dismiss; and,

14 WHEREAS, as ordered, the parties have met and conferred and reached an agreement;
15 and,

16 WHEREAS, Lead Plaintiff proposes for the interests of clarity and efficiency to file a
17 consolidated complaint under the caption “In re Finisar Corporation Securities Litigation,” as
18 Lead Plaintiff is not the named plaintiff in the case number under which the cases were
19 consolidated (5:11-CV-01252-EJD), and Defendants agree that this change would be beneficial;
20 and,

21 WHEREAS, the parties also suggest and agree that it would serve the interests of judicial
22 economy to hold the next Case Management Conference on the same date as the hearing of the
23 motion to dismiss,

24 IT IS HEREBY STIPULATED THAT:

25 1. The case shall be recaptioned “In re Finisar Corporation Securities Litigation,”
26 retaining its case number (5:11-CV-01252-EJD).

27 2. Lead Plaintiff shall file a consolidated complaint under the revised caption on or
28 before **January 13, 2012**.

1 3. Defendants shall move to dismiss the consolidated complaint on or before **March**
2 **13, 2012**, with the motion noticed for hearing on a date to be set by the Court consistent with this
3 briefing schedule.

4 4. Lead Plaintiff shall file its opposition to the motion to dismiss on or before **April**
5 **16, 2012**.

6 5. Defendants shall file their reply in support of the motion to dismiss on or before
7 **May 11, 2012**.

8 6. The Case Management Conference presently scheduled for December 9, 2011
9 shall be continued for the same date as the hearing of the motion to dismiss.

10 Respectfully submitted,

11 November 2, 2011

ABRAHAM, FRUCHER & TWERSKY, LLP
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16 By: /s/ Ian D. Berg
17 Attorneys for Lead Plaintiff OKLAHOMA
18 FIREFIGHTERS PENSION AND RETIREMENT
SYSTEM

19 November 2, 2011

DLA PIPER LLP (US)

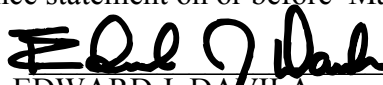
21 By: /s/ David Priebe
22 Attorneys for Defendants FINISAR
CORPORATION, JERRY S. RAWLS, EITAN
GERTEL, and KURT ADZEMA

23 **ORDER**

24 Pursuant to stipulation, IT IS SO ORDERED.

25 The Hearing date on the Motion to Dismiss the Consolidated Complaint is set for June 1, 2012
26 at 9:00 AM. The Case Management Conference is also set for June 1, 2012 at 10:00 AM. The
parties' shall file a Joint Case Management Conference statement on or before May 25, 2012.

27 Dated: November 7 , 2011

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EDWARD J. DAVILA
United States District Judge

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ATTESTATION OF AUTHORIZATION FOR ELECTRONIC FILING

I, David Priebe, am the ECF User whose ID and password are being used to file this
STIPULATION AND [PROPOSED] ORDER REGARDING SCHEDULING OF
CONSOLIDATED COMPLAINT AND CASE CAPTION. In compliance with General Order
45, X.B., I hereby attest that Ian D. Berg has concurred in this filing.

November __, 2011

/s/ David Priebe _____