JOINT STIPULATION AND [PROPOSED] ORDER DEFERRING COMPLIANCE WITH ADR MULTI-

OPTION PROGRAM PENDING DECISION ON MOTION TO REMAND

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1	WHEREAS, the Court's resolution of the pending motions to remand could impact	t the parties'	
2	2 positions concerning ADR;		
3	NOW, THEREFORE, it is hereby stipulated and agreed between Plaintiffs and Defend	ants, through	
4	4 their respective counsel listed below, that compliance with the February 24, 2012 ADR	deadlines be	
5	5 deferred pending resolution of Plaintiffs' motions to remand, with all responses to the ADR Or	der being due	
6	6 within two weeks of resolution of the pending remand motions if the Court denies the remand	motions and	
7	7 retains jurisdiction of these actions.		
8	8 IT IS SO STIPULATED.		
9 10	MARY K BLASY		
11	11		
12	12 /s/ Mary K. Blasy MARY K. BLASY		
13	13 707 Broadway, Tenth Floor		
14	San Diego, CA, 92101		
15	619/233-0508 (fax)		
16	SCOTT+SCOTT LLP DAVID R. SCOTT		
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22	Telephone: 619/434-0024 619/342-7878 (fax)		
23	Counsel for Plaintiffs		
24	24		
25	25		
26	26		
27	- 2 -		
28	Nos. 11-cv-05668-EJD/11-cv-05669-EJD JOINT STIPULATION AND [PROPOSED] ORDER DEFERRING COMPLIANCE WITH ADR MULTI- OPTION PROGRAM PENDING DECISION ON MOTION TO REMAND		

1	DATED: February 22, 2012	WILSON SONSINI GOODRICH & ROSATI
2		NINA (NICKI) LOCKER
3		/a/ Niga I agles :
4		/s/ Nina Locker NINA (NICKI) LOCKER
5		650 Page Mill Road Palo Alto, CA 94304
6		Telephone: 650/493-9300 Fax: 650/493-6811
7		
8		Counsel for Defendants Pacific Biosciences of California, Inc., Hugh C. Martin, Susan K. Barnes, Brian B. Dow, Brook Byers, William W. Ericson,
9		Michael Hunkapiller, Randall S. Livingston, Susan Siegel and David B. Singer
10	D. 1777 F. 1	
11	DATED: February 22, 2012	SIMPSON THACHER & BARTLETT LLP SIMONA G. STRAUSS
12		
13		/s/ Simona G. Strauss
14		SIMONA G. STRAUSS
15		2550 Hanover Street Palo Alto, CA 94304
16		Telephone: 650/251-5000 Fax: 650/251-5002
17		
18		Counsel for Defendants J.P. Morgan Securities LLC, Morgan Stanley & Co. LLC (formerly Morgan
19		Stanley & Co. Incorporated), Deutsche Bank Securities Inc., and Piper Jaffray & Co.
20		
21	GOOD CAUSE APPEARING, IT	T IS SO ORDERED.
22	DATED: February 23, 2012	ERROLL
23		HON. EDWARD J. DAVILA JNITED STATES DISTRICT JUDGE
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27		- 3 -
28		Nos. 11-cv-05668-EJD/11-cv-05669-EJD ORDER DEFERRING COMPLIANCE WITH ADR MULTI-
	OPTION PROGRAM PENDING DECISION	ON MOTION TO REMAND

## **CERTIFICATE OF SERVICE**

I hereby certify that on February 22, 2012, a copy of the foregoing was filed electronically and
served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by email to all
parties of operation of the Court's electronic filing system or by mail to anyone unable to accept electronic
filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's
CM/ECF System.

/s/ Mary K. Blasy
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Nos. 11-cv-05668-EJD/11-cv-05669-EJD

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1	ATTESTATION PURSUANT TO GENERAL ORDER 45
2	I, Mary K. Blasy, attest that concurrence in the filing of this document has been obtained from
3	signatories Nina Locker and Simona G. Strauss. I declare under penalty of perjury under the laws of the
4	United States of America that the foregoing is true and correct. Executed this 22nd day of February, 2012 at
5	San Diego, California.
6	/s/ Mary K. Blasy
7	Mary K. Blasy SCOTT+SCOTT LLP 707 Proceedings of the 1000
8	707 Broadway, Suite 1000 San Diego, CA 92101
9	Tel: 619/233-4565 mblasy@scott-scott.com
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11	Counsel for Plaintiffs
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