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19 *Attorneys for Defendant TerraForm Global, Inc.*

20 Additional Counsel Listed on Signature Page

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**
 23 **SAN JOSE DIVISION**

24 JUAN M. RODRIGUEZ BELTRAN, *Individually*
 25 *and on Behalf of Others Similarly Situated*,
 26 Plaintiff,

27 vs.

28 TERRAFORM GLOBAL, INC., et al.,
 Defendants.

Related Case No. 5:15-cv-04981-BLF-NMC

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE

Judge: Hon. Beth Labson Freeman

[Caption continued on following page.]

1 PYRAMID HOLDINGS, INC., *Individually and on*
2 *Behalf of Others Similarly Situated,*
3 Plaintiff,

4 vs.

5 TERRAFORM GLOBAL, INC., et al.,
6 Defendants.

Related Case No. 5:15-cv-05068-BLF-
NMC

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Pursuant to Civil Local Rules 6-2(a) and 7-12, Court-appointed Interim Lead Plaintiff Pyramid Holdings, Inc. (“Pyramid”) and Defendants, by and through their respective undersigned counsel of record, submit the following stipulation and proposed order:

WHEREAS, on October 29, 2015, the action captioned *Beltran v. TerraForm Global, Inc., et al.* (“*Beltran*”) was filed in the United States District Court for the Northern District of California;

WHEREAS, on November 5, 2015, the action captioned *Pyramid Holdings, Inc. v. TerraForm Global, Inc., et al.* (“*Pyramid Holdings*”) was filed in the United States District Court for the Northern District of California;

WHEREAS, on June 1, 2016, Defendants moved to transfer *Beltran* and *Pyramid Holdings* to the Southern District of New York [*Beltran* Dkt. 126, 128; *Pyramid Holdings* Dkt. 78-79];

WHEREAS, Defendants’ motions to transfer are scheduled to be heard on October 6, 2016;

WHEREAS, on June 14, 2016, the Court entered an Order granting the parties’ Joint Stipulated Request to File Excess Pages and Extend Briefing Schedule, which provided that Interim Lead Plaintiff Pyramid’s opposition to the transfer motions would be filed on July 14, 2016, and Defendants’ reply briefs in support of the motions would be filed on August 4, 2016;

WHEREAS, the upcoming Initial Case Management Conference (“CMC”) and associated ADR deadlines in *Beltran* and *Pyramid Holdings* are as currently set as follows:

CASE SCHEDULE – ADR MULTI-OPTION PROGRAM

Date	Event	Governing Rule
7/14/2016	Last day to: <ul style="list-style-type: none">meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan	FRCivP 26(f) & ADR L.R. 3-5
	<ul style="list-style-type: none">file ADR Certification signed by Parties and	Civil L.R. 16-8(b) & ADR

1	Counsel	L.R. 3-5(b)
2	• file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference	Civil L.R. 16-8(c) & ADR L.R. 3-5(b)
3	7/28/2016	Last day to file Rule 26(f) Report, complete initial disclosure or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement
4		FRCivP 26(a)(1) & Civil L.R. 16-9
5		
6	8/4/2016	INITIAL CASE MANAGEMENT CONFERENCE at 11:00 a.m. in:
7		Courtroom 3, 5th Floor
8		San Jose
9		

WHEREAS, in the interests of efficiency and comity, the parties believe that it would be prudent to continue the CMC and related deadlines currently scheduled in *Beltran* and *Pyramid Holdings* until after the parties have finished briefing and the Court has resolved the venue questions presented in the motions to transfer;

NOW, THEREFORE, the parties hereby STIPULATE and AGREE as follows:

1. The CMC currently scheduled before the Court on August 4, 2016, at 11:00 a.m. in the above-captioned cases, along with any associated deadlines under the Federal Rules of Civil Procedure and Local Rules (including ADR deadlines), shall be continued until after the Court rules on the motions to transfer; and
2. In the event the above-captioned cases remain before the Court after it rules on the motions to transfer, the Parties shall, if necessary, assist the Court by timely requesting that a new CMC be scheduled in the above-captioned cases.

1 Dated: July 11, 2016

Respectfully Submitted,

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3 By: /s/ Timothy Perla

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Attorneys for Interim Lead Plaintiff Pyramid Holdings, Inc.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 Dated: _____



Honorable Beth Labson Freeman
UNITED STATES DISTRICT JUDGE

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1 **SIGNATURE ATTESTATION**

2 I am the ECF User whose identification and password are being used to file the foregoing
3 Stipulation and Proposed Scheduling Order. In compliance with Local Rule 5-1(i)(3), I hereby
4 attest that the other signatories have concurred in this filing.
5

6 Dated: July 11, 2016

7 By: /s/ Timothy Perla

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