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Attorneys for Defendants  
 9 SIENRA, INC., HANI ZEINI, MATTHEW PIGEON,  
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11 *[Additional counsel listed on signature page]*

12 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
 13 **SAN FRANCISCO DIVISION**

14 OKLAHOMA POLICE PENSION &  
 RETIREMENT SYSTEM, Individually and  
 15 on Behalf of All Others Similarly Situated,

Plaintiff,

16 v.

17 SIENRA, INC., et al.,

Defendants.

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 20 ANGELO ALBANO, et al., Individually and  
 on Behalf of All Others Similarly Situated,

21 Plaintiffs,

22 v.

23 SIENRA, INC., et al.,

Defendants.

24 HOWARD KLEIMAN, Individually and on  
 25 Behalf of All Others Similarly Situated,

26 Plaintiff,

27 v.

28 SIENRA, INC., et al.,

Defendants.

Case No. 5:15-cv-05549-EJD

**CLASS ACTION**

**STIPULATION AND [~~PROPOSED~~] ORDER  
 REMOVING FROM CALENDAR THE INITIAL  
 CASE MANAGEMENT CONFERENCE**

DATE: N/A

TIME: N/A

JUDGE: Hon. Edward J. Davila

CTRM: 4, 5th Floor

Case No. 5:15-cv-05550-EJD

Case No. 5:15-cv-5553-EJD

1 Plaintiffs Oklahoma Police Pension & Retirement System, Angelo Albano, and Howard  
2 Kleiman (collectively “Plaintiffs”) and defendants Sientra, Inc., Hani Zeini, Matthew Pigeon,  
3 Nicholas Simon, Timothy Haines, R. Scott Greer, Kevin O’Boyle, Jeffrey Nugent, Piper Jaffray  
4 & Co., Stifel, Nicolaus & Company, Incorporated, Leerink Partners LLC, and William Blair &  
5 Company, L.L.C. (collectively “Defendants” and together with Plaintiffs, the “Parties”), by and  
6 through their undersigned counsel, hereby stipulate as follows:

7 WHEREAS, on October 28, 2015, Plaintiff Oklahoma Police Pension & Retirement  
8 System filed a putative class action complaint (the “Oklahoma Police Pension Action”) in the  
9 California Superior Court for the County of San Mateo, against Defendants, which was removed  
10 to this Court on December 4, 2015;

11 WHEREAS, on November 5, 2015, Angelo Albano filed a similar putative class action  
12 complaint in the California Superior Court for the County of San Mateo asserting the same or  
13 substantially similar claims against Defendants, captioned Albano, et al. v. Sientra, Inc., et al.,  
14 Case No. 3:15-cv-5550-WHO (the “Albano Action”), which was removed to this District on  
15 December 4, 2015;

16 WHEREAS, on November 19, 2015, Howard Kleiman filed another similar putative class  
17 action complaint in the California Superior Court for the County of San Mateo asserting the  
18 same or substantially similar claims against Defendants, captioned Kleiman v. Sientra, Inc., et  
19 al., Case No. 3:15-cv-5553-HSG (the “Kleiman Action”), which was removed to this District on  
20 December 4, 2015;

21 WHEREAS, the Albano Action and the Kleiman Action were related to the Oklahoma  
22 Police Pension Action and reassigned to this Court on December 29, 2015;

23 WHEREAS, Plaintiffs moved to remand the Oklahoma Police Pension Action, the Albano  
24 Action, and the Kleiman Action (the “Related Actions”) on December 15, 2015, Defendants filed  
25 oppositions to Plaintiffs’ motions to remand on January 19, 2016, and Plaintiffs filed their reply  
26 briefs on January 25, 2016;

27 WHEREAS, the Parties jointly consented to and the Court ordered the determination of  
28 the motions to remand based on the papers submitted without oral argument;

1 WHEREAS, the Court entered an order/minute entry setting an Initial Case Management  
2 Conference in the three Related Actions for May 5, 2016 at 10 a.m.;

3 WHEREAS, in relation to the May 5, 2016 Initial Case Management Conference, the  
4 Parties are required to file Rule 26(f) Reports and Case Management Statements on April 28,  
5 2016 and to meet and confer in relation to these Rule 26(f) Reports and Case Management  
6 Statements no later than April 14, 2016;<sup>1</sup>

7 WHEREAS, the Plaintiffs' motions to remand in the three Related Actions are still pending  
8 before the Court and, as a result, all discovery and further proceedings are currently stayed;

9 WHEREAS, the Parties have agreed to take the Initial Case Management Conference off  
10 calendar during the pendency of the motions to remand, and will reset the conference and the  
11 other related deadlines if it becomes necessary to do so.

12 WHEREFORE, IT IS HEREBY STIPULATED AND AGREED that,

13 1. The May 5, 2016 Initial Case Management Conference is removed from the  
14 Court's calendar and all other related deadlines are continued accordingly.

15 Dated: April 14, 2016

COOLEY LLP

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17  
18 /s/Koji F. Fukumura  
KOJI F. FUKUMURA (189719)

19 Attorneys for Defendants  
20 SIENRA, INC., HANI ZEINI, MATTHEW  
21 PIGEON, NICHOLAS SIMON, R. SCOTT  
22 GREER, KEVIN O'BOYLE, and JEFFREY  
23 NUGENT

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26 <sup>1</sup> These deadlines were set forth in the Order Setting Initial Case Management Conference and  
27 ADR Deadlines associated with Docket Number 12. The "Proceeding Text" docket entry  
28 associated with Docket Number 12 provides different deadlines. The Parties share the  
understanding that the deadlines established by the Order Setting Initial Case Management  
Conference and ADR Deadlines, and not those in the docket's "Proceeding Text" field, apply.

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Dated: April 14, 2016

MORGAN, LEWIS & BOCKIUS LLP

/s/Charlene S. Shimada  
CHARLENE S. SHIMADA (91407)

Attorneys for Defendants  
PIPER JAFFRAY & CO., STIFEL, NICOLAUS  
& COMPANY, INCORPORATED, LEERINK  
PARTNERS LLC, and WILLIAM BLAIR &  
COMPANY, L.L.C.

Dated: April 14, 2016

ROBBINS GELLER RUMAN & DOWD LLP

/s/ Matthew S. Melamed  
MATTHEW S. MELAMED (260272)

Attorneys for Plaintiff  
OKLAHOMA POLICE PENSION &  
RETIREMENT SYSTEM

Dated: April 14, 2016

JOHNSON & WEAVER,LLP

/s/ Shawn E. Fields  
SHAWN E. FIELDS (255267)

Attorneys for Plaintiffs  
ANGELO ALBANO and CHARLES ALBANO  
D/B/A/ CA PRODUCTIONS

Dated: April 14, 2016

ABRAHAM, FRUCHTER & TWERSKY LLP

/s/ Ian D. Berg  
IAN D. BERG (263586)

Attorneys for Plaintiff  
HOWARD KLEIMAN

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**ATTESTATION (CIVIL LOCAL RULE 5-1(i)(3))**

In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatories.

Dated: April 14, 2016

COOLEY LLP

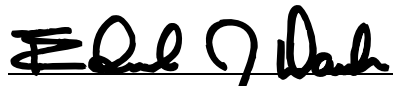
/s/Koji F. Fukumura  
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Attorneys for Defendants  
SIENTRA, INC., HANI ZEINI, MATTHEW  
PIGEON, NICHOLAS SIMON, R. SCOTT  
GREER, KEVIN O'BOYLE, and JEFFREY  
NUGENT

**ORDER**

Pursuant to the foregoing stipulation, and good cause appearing, IT IS SO ORDERED.  
The Initial Case Management Conference currently set for April 28, 2016 at 2 p.m. has been taken off calendar and the Court will reset the conference and the other related deadlines if it becomes necessary to do so.

Dated: April 15, 2016

  
\_\_\_\_\_  
Honorable Edward J. Davila  
United States District Judge