

1 WHEREAS, on September 25, 2019, this Court entered an order granting Defendants’
2 motion to dismiss the consolidated class action complaint (ECF No. 118);

3 WHEREAS, this Court set a deadline of October 26, 2019 for Plaintiffs to file an
4 amended complaint (ECF No. 118);

5 WHEREAS, in light of multiple scheduling conflicts faced by Co-Lead Counsel for
6 Plaintiffs, Plaintiffs requested Defendants’ consent to a short extension of the deadline to file an
7 amended complaint to November 15, 2019;

8 WHEREAS, Defendants consented to Plaintiffs’ requested extension;

9 WHEREAS, good cause exists for the requested extension given the parties’ agreement
10 on the requested extension; scheduling conflicts faced by Co-Lead Counsel for Plaintiffs,
11 including preexisting commitments and deadlines faced in other matters; and because no other
12 case deadlines will be affected by this short extension;

13 WHEREAS, this is the first request to extend the time for Plaintiffs to file and serve an
14 amended complaint; and

15 WHEREAS, the Parties have met and conferred and agreed to the schedule set forth
16 below for filing the consolidated complaint and responding to any motion directed at the
17 pleading.

18 THEREFORE, IT IS HEREBY AGREED TO AND STIPULATED BY THE PARTIES,
19 SUBJECT TO THE COURT’S APPROVAL:

- 20 1. Plaintiffs shall file and serve a first amended complaint (the “FAC”) on November 15,
21 2019;
- 22 2. Defendants shall file and serve their response to the FAC on or before January 15, 2020;
- 23 3. If Defendants respond by moving to dismiss the FAC, Plaintiffs shall file and serve their
24 opposition papers on or before March 16, 2020;
- 25 4. Defendants shall file a reply in further support of their motion to dismiss on or before
26 April 24, 2020; and
- 27
- 28

1 5. The parties expressly reserve all of their claims, rights, defenses, and arguments, and, by
2 entering into this stipulation, in no way waive or intend to waive any claims, rights,
3 defenses, or arguments they may wish to exercise or assert in this action or any separate
4 action.

5 IT IS SO STIPULATED.

6 DATED: October 2, 2019

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DATED: October 2, 2019

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** Pursuant to Civ. L.R. 5-1(i)(3), the electronic
filer has obtained approval from this signatory.

CERTIFICATE PURSUANT TO LOCAL RULE 5-1(i)(3)

I, John C. Browne, am the ECF User whose identification and password are being used to
file this document. Pursuant to Local Rule 5-1(i)(3), I attest that concurrence in the filing of the
document has been obtained from each of the other signatories.

* * *

~~PROPOSED~~ ORDER GRANTING STIPULATION

Pursuant to stipulation and for good cause shown, IT IS SO ORDERED.

A hearing on the anticipated motion to dismiss is tentatively set
for May 21, 2020 at 9:00 a.m.
DATED: October 3, 2019



THE HONORABLE EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 I, John C. Browne, declare as follows:

3 I am employed in the County of New York, State of New York, I am over the age of
4 eighteen years and am not a party to this action; my business address is 1251 Avenue of the
5 Americas, 44th Floor, New York, NY 10020, in said County and State.

6 I hereby certify that on October 2, 2019, the foregoing **STIPULATED REQUEST AND**
7 **[PROPOSED] ORDER TO CHANGE TIME TO FILE AMENDED COMPLAINT**
8 **PURSUANT TO CIVIL LOCAL RULE 6-2 AND ESTABLISHING BRIEFING**
9 **SCHEDULE FOR RULE 12 MOTIONS OR TO ANSWER AMENDED COMPLAINT**
10 was filed with the Clerk of the Court via CM/ECF. Notice of this filing will be sent electronically
11 to all registered parties by operation of the Court's electronic filing systems.

12
13 Dated: October 2, 2019

/s/ John C. Browne
John C. Browne