

STANTON, S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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L.A. MURPHY, MARVIN STERNHELL, and :
HENOCH KAIMAN, on their own behalf and on :
behalf of all others similarly situated, :
: :
Plaintiffs, :
: :
vs. :
: :
KOHLBERG KRAVIS ROBERTS & COMPANY; :
CARLYLE GROUP; CLAYTON, DUBILIER & :
RICE; SILVER LAKE PARTNERS; :
BLACKSTONE GROUP; BAIN CAPITAL LLC; :
THOMAS H. LEE PARTNERS; TEXAS PACIFIC :
GROUP; MADISON DEARBORN PARTNERS; :
APOLLO MANAGEMENT LP; PROVIDENCE :
EQUITY PARTNERS; MERRILL LYNCH AND :
CO., INC.; and WARBURG PINCUS, LLC., :
Defendants. :
-----X

Case No.: 06 CV 13210 (LLS)

STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO RESPOND TO COMPLAINT

IT IS HEREBY STIPULATED AND AGREED, by and between the parties through their undersigned attorneys, subject to the approval of the Court, that the time for all defendants to move, answer, or otherwise respond to the complaint in this action is extended from December 7, 2006, the time for the first-served defendants to move, answer or otherwise respond to the complaint, through and including February 16, 2007. No previous request for an extension of the time to respond to the complaint in this case has been made.

FURTHER, defendants acknowledge that they have been served with the complaint in this case and will not assert defenses based on service of process.

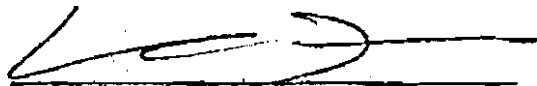
Dated: December 6, 2006

-06-06 17:04 SIMPSON THACHER & BARTLETT LLP ID-2124553319

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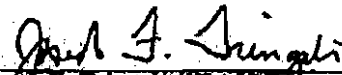
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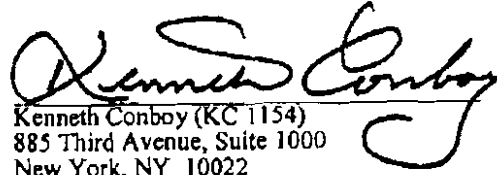
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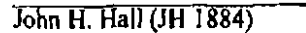
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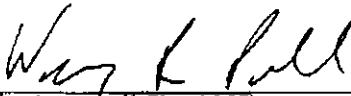
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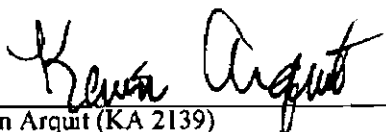
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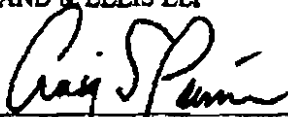
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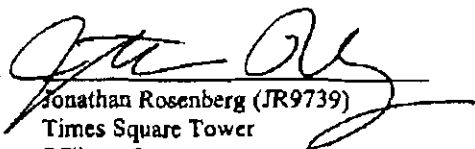
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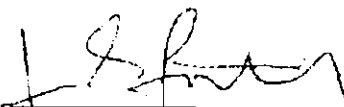
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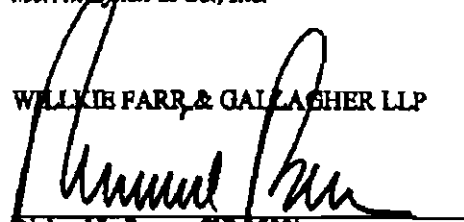
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SO ORDERED:

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