

No. 06-16185

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

In re GILEAD SCIENCES SECURITIES LITIGATION

TRENT ST. CLARE and TERRY JOHNSON,
On Behalf of Themselves and All Others Similarly Situated,
Plaintiffs-Appellants,

vs.

GILEAD SCIENCES, INC., JOHN C. MARTIN, JOHN F. MILLIGAN,
MARK L. PERRY, NORBERT W. BISCHOFBERGER, ANTHONY
CARRACIOLO and WILLIAM A. LEE,
Defendants-Appellees.

Appeal From the United States District Court
for the Northern District of California
Master File No. C-03-4999-MJJ
The Honorable Martin J. Jenkins

APPELLANTS' UNOPPOSED MOTION FOR 28-DAY EXTENSION
TO FILE REPLY BRIEF

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Pursuant to Circuit Rule 31-2.2, appellants respectfully move this Court for a 28-day extension of time to file their reply brief, to and including January 23, 2007. Appellees were granted a 30-day extension to file their answering brief and have stated through counsel that they have no objection to appellants' request for a 28-day extension to reply.

The grounds for the requested extension are set forth in the accompanying declaration of counsel.

DECLARATION OF COUNSEL

Susan K. Alexander, under penalty of perjury, declares and states as follows:

- A. I am a member of the bar of the Supreme Court of California and of the Ninth Circuit.
- B. I am an attorney at Lerach Coughlin Stoia Geller Rudman & Robbins LLP, and have primary responsibility for preparing Appellants' Reply Brief in this matter.
- C. The Reply Brief is currently due on December 26, 2006.
- D. A 28-day extension, to and including January 23, 2007, is requested.
- E. The grounds for this extension are as follows:

light of the holidays and counsel's previously scheduled vacation plans, they would require a corresponding extension for the reply brief. Appellees agreed not to oppose this motion.

2. On December 14, 2006, I spoke with counsel and confirmed that they do not oppose this motion.

3. Appellees' brief is 63 pages and contains numerous arguments requiring additional legal analysis, research, and record review, in connection with preparation of the reply brief. Additional time is therefore needed, to and including January 23, 2007, to prepare the reply brief.

F. No other extension of time has been previously requested or granted in connection with the Reply Brief, and no further extensions are contemplated.

DATED: December 15, 2006

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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

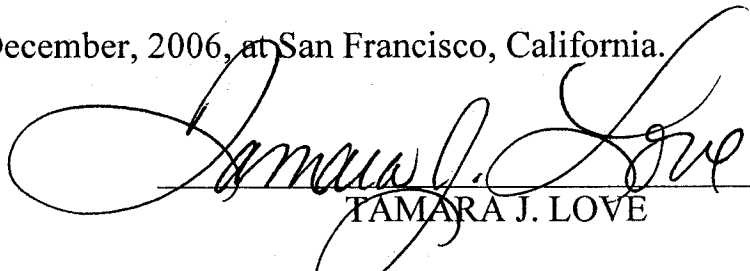
1. That declarant is and was, at all times herein mentioned, a citizen of the United States and employed in the City and County of San Francisco, over the age of 18 years, and not a party to or interested party in the within action; that declarant's business address is 100 Pine Street, Suite 2600, San Francisco, California 94111.

2. That on December 15, 2006, declarant served the **APPELLANTS' UNOPPOSED MOTION FOR 28-DAY EXTENSION TO FILE REPLY BRIEF** by depositing a true copy thereof in a United States mailbox at San Francisco, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of December, 2006, at San Francisco, California.


TAMARA J. LOVE

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