

1 Robert A. Sacks (CSB 150146)
SULLIVAN & CROMWELL LLP
2 1888 Century Park East
Los Angeles, California 90067
3 Telephone: (310) 712-6600
Facsimile: (310) 712-8800
4 sacksr@sullcrom.com

5 Jason de Bretteville (CSB 195069)
Amie D. Rooney (CSB 215324)
6 SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
7 Palo Alto, California 94303
Telephone: (650) 461-5600
8 Facsimile: (650) 461-5700
debrettevillej@sullcrom.com
9 rooneya@sullcrom.com

10 Attorneys for Defendants Softbank Holdings,
Inc., Softbank America, Inc. and Softbank Corporation
11

12
13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**
16

17 IN RE UTSTARCOM, INC.
18 SECURITIES LITIGATION

) Master File No. C-04-4908-JW (PVT)
)
) **JOINT STIPULATION AND ~~PROPOSED~~**
) **ORDER EXTENDING SOFTBANK**
) **CORPORATION'S TIME TO**
20 **RESPOND**

21 This Document Relates to:
22

) Judge: Hon. James A. Ware
)
)

23 ALL ACTIONS

24 WHEREAS, on or about October 3, 2006, Plaintiffs served a copy of the Second
25 Amended Consolidated Complaint for Violation of the Federal Securities Laws ("SAC") in the above
26 entitled action on defendant Softbank Corporation, a Japanese Corporation, through Tokyo District
27 Court with a Japanese translation in order to effectuate proper service on a foreign person under the
28 Hague Convention as described in Rule 4(f) of the Federal Rules of Civil Procedure;

1 WHEREAS, on June 6, 2006, Defendants Softbank Holdings, Inc. (“Softbank Holdings”)
2 and Softbank America, Inc. (“Softbank America”) filed their motion to dismiss the SAC, followed by
3 Plaintiffs’ opposition on July 21, 2006, and Softbank Holdings and Softbank America’s reply on August
4 18, 2006;

5 WHEREAS, the hearing on the pending motion to dismiss the SAC is set for October 23,
6 2006;

7 WHEREAS, requiring Softbank Corporation to respond to the SAC before the Court’s
8 ruling on the pending motion to dismiss would likely result in the unnecessary duplication of time and
9 resources;

10 WHEREAS, Civil Local Rule 6-2 allows the parties to request by stipulation an order
11 changing time to respond;

12 THEREFORE, the parties hereby STIPULATE and AGREE that:

13 1. The time within which Softbank Corporation shall respond to the SAC shall be
14 extended to a date no less than thirty days after the entry by the Court of an order on the pending
15 motions to dismiss filed by Softbank Holdings and Softbank America, or after any date that may be set
16 by the Court for the filing of an amended complaint, which ever is later;

17 2. The parties will meet and confer following entry of an Order by the Court on the
18 pending motions to dismiss to agree upon a due date for the filing of any response by Softbank
19 Corporation.

20 IT IS SO STIPULATED.

21 Dated: October 10, 2006

22 /s/ Robert A. Sacks
23 Robert A. Sacks (SBN 150146)
24 SULLIVAN & CROMWELL LLP
25 1888 Century Park East
26 Los Angeles, California 90067
27 Telephone: (310) 712-6600
28 Facsimile: (310) 712-8800

Jason de Bretteville (SBN 195069)
Amie D. Rooney (SBN 215324)
SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
Palo Alto, California 94303
Telephone: (650) 461-5600

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Facsimile: (650) 461-5700

Counsel for Defendants Softbank Holdings,
Inc., Softbank America, Inc. and Softbank
Corporation

Dated: October 10, 2006

/s/ Christopher P. Seefer
Kimberly Epstein
Christopher P. Seefer
Shirley H. Huang
LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
100 Pine Street, Suite 2600
San Francisco, California 94111
Telephone: (415) 288-4545
Facsimile: (415) 288-4534

Lead Counsel for Plaintiffs

I, Amie D. Rooney, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order Extending Softbank Corporation's Time to Respond. I hereby attest that Robert A. Sacks and Christopher P. Seefer concur in this filing.

Dated: October 10, 2006

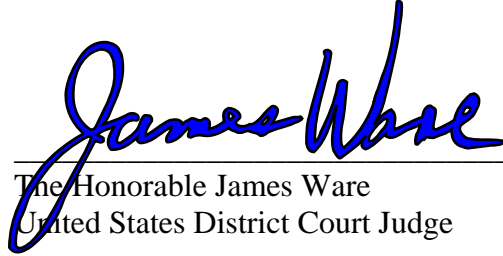
/s/ Amie D. Rooney
Amie D. Rooney
SULLIVAN & CROMWELL LLP
1870 Embarcadero Road
Palo Alto, California 94303
Telephone: (650) 461-5600
Facsimile: (650) 461-5700

Counsel for Defendants Softbank Holdings,
Inc., Softbank America, Inc. and Softbank
Corporation

ORDER

PURSUANT TO THIS STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

Dated: October 11, 2006 ___



The Honorable James Ware
United States District Court Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

I, Kathryn G. Heredia, declare:

I am employed in the City of Palo Alto, State of California. I am over the age of eighteen years and am not a party to this action. My business address is Sullivan & Cromwell LLP, 1870 Embarcadero Road, Palo Alto, California 94303. On October 10, 2006, I served the following documents:

JOINT STIUPLATION AND [PROPOSED] ORDER EXTENDING SOFTBANK CORPORATION'S TIME TO RESPOND

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Palo Alto, California addressed as set forth below:

Paul T. Curley
Murray Frank & Sailer LLP
275 Madison Avenue
Suite 801
New York, NY 10016

Philip H. Gordon
Gordon Law Offices
623 West Hays
Boise, ID 83702-5512

Christopher J. Keller
Goodkind Labaton Rudoff & Sucharow LLP
100 Park Avenue
New York, NY 10017

Dale MacDiarmid
Glancy Binkow & Goldberg LLP
1801 Avenue of the Stars, Suite 311
Los Angeles, CA 90067

Darren J. Robbins
Lerach Coughlin Stoia Geller Rudman & Robbins LLP
655 West Broadway
Suite 1900
San Diego, CA 92101

Ronit Sutton
Cadwalader, Wickersham & Taft LLP
One World Financial Center
New York, NY 10281

Inna Zatulovsky
Morgan Lewis & Bockius LLP
One Market, Spear Street Tower
San Francisco, CA 94105

