

1 Jonathan K. Levine (State Bar No. 220289)
jkl@girardgibbs.com

2 Aaron M. Sheanin (State Bar No. 214472)
ams@girardgibbs.com

3 **GIRARD GIBBS LLP**
4 601 California Street, 14th Floor
San Francisco, California 94108
5 Telephone: (415) 981-4800
Facsimile: (415) 981-4846

6 Andrei Rado (admitted pro hac vice)
arado@milberg.com

7 **MILBERG LLP**
8 One Pennsylvania Plaza
New York, New York 10119
9 Telephone: (212) 946-9474
Facsimile: (212) 868-1229

10 *Plaintiffs' Co-Lead Counsel*

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13 **UNITED STATES DISTRICT COURT**
14 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

15 In Re NVIDIA CORPORATION SECURITIES)
16 LITIGATION)

Case No. C08-4260 JW

17 This document relates to:)

**STIPULATION AND [PROPOSED] ORDER
REGARDING DEADLINE FOR FILING
CONSOLIDATED COMPLAINT**

18 ALL ACTIONS)
19)
20)
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22)
23)
24)
25)

Date: No Hearing Set
Judge: The Hon. James Ware
Courtroom: 8

1 WHEREAS, on October 16, 2008, Defendants NVIDIA Corporation, Jen-Hsun Huang, Marvin
2 D. Burkett (“Defendants ”), and all plaintiffs at that time stipulated that the actions were related and
3 should be consolidated and that a Consolidated Complaint would be due to be filed in this case 45 days
4 after the Court’s appointment of a Lead Plaintiff;

5 WHEREAS, in its order dated October 30, 2008, the Court approved the October 16, 2008
6 stipulation to relate and consolidate the pending actions;

7 WHEREAS, on December 23, 2008, this Court appointed Roberto Cohen and New Jersey
8 Carpenters Pension and Annuity Funds (“Lead Plaintiffs ”) as Lead Plaintiffs in this case and appointed
9 Girard Gibbs LLP and Milberg LLP as Co-Lead Counsel;

10 WHEREAS, due to preexisting scheduling conflict involving certain of Plaintiffs’ Co-Lead
11 Counsel, Lead Plaintiffs have requested and Defendants have agreed that, subject to the Court’s
12 approval, the Consolidated Complaint shall be filed on or before February 20, 2009, which is two
13 weeks after it would otherwise be due;

14 WHEREAS, the provisions set forth in the October 16, 2008 stipulation, including the briefing
15 schedule, shall otherwise remain in place;

16 WHEREAS, pursuant to the briefing schedule contained in the October 16, 2008 stipulation any
17 motion to dismiss the Consolidated Complaint must be filed on or before April 6, 2009, any opposition
18 must be filed on or before May 21, 2009, and any reply brief must be filed on or before June 22, 2009
19 respectively, assuming the Consolidated Complaint is served on February 20, 2009.

20 IT IS HEREBY STIPULATED by and between Lead Plaintiffs and Defendants NVIDIA
21 Corporation, Jen-Hsun Huang, and Marvin D. Burkett, by and through their respective counsel, that
22 Lead Plaintiffs’ Consolidated Complaint shall be filed on or before February 20, 2009 and that the
23 provisions of the prior stipulation shall otherwise remain in place.
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1 Dated: February 5, 2009

GIRARD GIBBS LLP

2 By: /s/ Aaron M. Sheanin
3 Aaron M. Sheanin

4 Jonathan K. Levine
5 601 California Street
6 San Francisco, California 94108
7 Telephone: (415) 981-4800
8 Facsimile: (415) 981-4846

9 *Plaintiffs' Co-Lead Counsel*

MILBERG LLP

10 By: /s/ Andrei Rado (with permission)
11 Andrei Rado

12 One Pennsylvania Plaza
13 New York , New York 10119
14 Telephone: (212) 946-9474
15 Facsimile: (212) 868-1229

16 *Plaintiffs' Co-Lead Counsel*

17 Dated: February 5, 2009

**ORRICK, HERRINGTON & SUTCLIFFE
LLP**

18 By: /s/ James N. Kramer (with permission)
19 James N. Kramer

20 James E. Thompson
21 405 Howard Street
22 San Francisco , CA 94105-2669
23 Telephone: (415) 773-5700
24 Facsimile: (415) 773-5759

25 *Attorneys for NVIDIA Corporation, Jen-Hsun
26 Huang, and Marvin D. Burkett*

IT IS SO ORDERED.

27 Dated: _____, 2009

28 HON. JAMES WARE
UNITED STATES DISTRICT JUDGE

