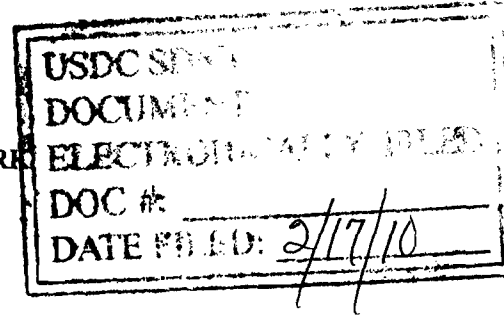


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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



_____)
 YARON GISSIN, Individually and on Behalf of All Those Similarly Situated,)
)
 Plaintiff,)
)
 v.)
)
 DONALD L. ENDRES, DANNY C. HERRON and BRYAN D. MEIER,)
)
 Defendants.)
 _____)

No. 09 CV 9338 (SAS)

STIPULATION & PROPOSED ORDER

WHEREAS the Court has appointed Wayne Mitchell and Son Nguyen as Lead Plaintiffs in the above-captioned action ("Action") and all related actions consolidated pursuant to the Court's Order of January 29, 2010, and has approved their selection of Lead and Liaison Counsels,

IT IS HEREBY STIPULATED AND AGREED between Lead Plaintiffs Wayne Mitchell and Son Nguyen ("Plaintiffs") and defendants Donald L. Endres, Danny C. Herron, and Bryan D. Meier (collectively "VeraSun Defendants") that the time for the VeraSun Defendants to move against or answer the complaint is adjourned pursuant to the following schedule. Plaintiffs, as Lead Plaintiffs for all related actions consolidated with this Action, and the VeraSun Defendants shall adhere to this schedule:

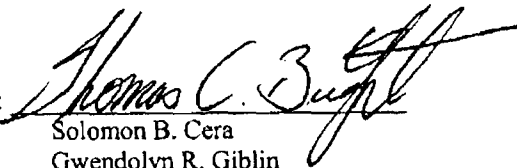
(a) Plaintiffs shall have forty-five days from January 29, 2010, within which to file an amended complaint. If Plaintiffs elect not to file an amended complaint, Plaintiffs shall so notify the VeraSun Defendants in writing to the undersigned counsel.

(b) The VeraSun Defendants shall move against or answer the original complaint in this Action, or the amended complaint, whichever is operative, within forty-five days of Plaintiffs' filing and service of an amended complaint or Plaintiffs' written notification that they will not file an amended complaint.

(c) Should the VeraSun Defendants respond to the operative complaint by filing any motion, Plaintiffs shall submit any opposition to such motion within forty-five days of its filing.

(d) The VeraSun Defendants shall reply to Plaintiffs' opposition within thirty days of its filing.

Dated February 11, 2010

By: 

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Gwendolyn R. Giblin
Thomas C. Bright
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Liaison Counsel to the Proposed Class

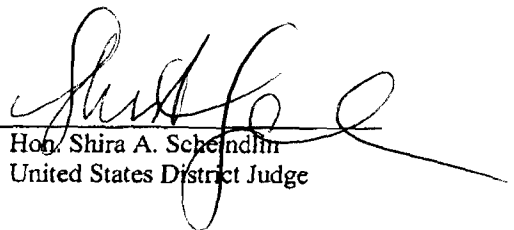
By: _____

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*Counsel for Defendants
Donald L. Endres, Danny C. Herron,
and Bryan D. Meier*

SO ORDERED

Dated: Feb. 16, 2010
New York, New York


Hon. Shira A. Scheindlin
United States District Judge

Dated February 11, 2010

By: _____

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Gwendolyn R. Giblin
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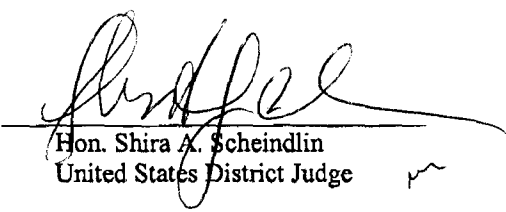
By: Michael Bongiorno/KB

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*Counsel for Defendants
Donald L. Endres, Danny C. Herron,
and Bryan D. Meier*

SO ORDERED

Dated: Feb 16, 2010
New York, New York


Hon. Shira A. Scheindlin
United States District Judge