

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OPERATIVE PLASTERERS AND CEMENT)
MASONS INTERNATIONAL ASSOCIATION)
LOCAL 262 ANNUITY FUND, Individually)
And On Behalf of All Others Similarly Situated,)

NO. 08-CV-5523 (LAK)

Plaintiff,

vs.

JURY TRIAL DEMANDED

LEHMAN BROTHERS HOLDINGS, INC.,)
RICHARD S. FULD, JR., CHRISTOPHER M.)
O'MEARA, JOSEPH M. GREGORY, and)
ERIN CALLAN,)

Defendants.

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ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/11/08

~~PROPOSED~~ **AMENDED**
STIPULATION AND SCHEDULING ORDER

Lead Plaintiff the Pension Fund Group¹ and Defendants Lehman Brothers Holdings, Inc. ("Lehman" or the "Company"), Richard S. Fuld, Jr., Christopher M. O'Meara, Joseph M. Gregory and Erin Callan (collectively, "Defendants"), by and through their respective undersigned counsel, hereby stipulate, subject to Court approval, as follows, concerning the filing of an Amended Complaint and briefing thereon.

RECITALS

WHEREAS, on August 7, 2008, the Court entered a scheduling order providing (1) that the Lead Plaintiff shall file an amended complaint no later than September 12, 2008; (2) that Defendants shall file and serve responsive pleading(s) or motion(s) no later than October 27, 2008; (3) that if any Defendant moves to dismiss the amended complaint, Lead Plaintiff shall file and serve opposition brief(s) no later than November 17, 2008; and (4) that Defendants shall file and serve reply brief(s) no later than December 17, 2008; and

WHEREAS, counsel for Lead Plaintiff believes that adjusting the schedule as indicated below will promote judicial economy and efficiency, and the Defendants do not object to modifying the schedule.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Pension Fund Group and by all Defendants, through their respective counsel of record, subject to the approval of the Court, as follows:


1. The Lead Plaintiff shall file an amended complaint no later than September 26, 2008;
2. Defendants shall file and serve responsive pleading(s) or motion(s) no later than November 10, 2008;

¹ The Pension Fund Group is comprised of Alameda County Employees' Retirement Association ("ACERA"), the Government of Guam Retirement Fund ("Guam"), the Northern Ireland Local Governmental Officers Superannuation Committee ("NILGOSC"), The City of Edinburgh Council as Administering Authority of the Lothian Pension Fund ("Lothian") and the Operating Engineers Local 3 Trust Fund ("Operating Engineers").

3. If any Defendant moves to dismiss the amended complaint, Lead Plaintiff shall file and serve opposition brief(s) no later than December 10, 2008;
4. Defendants shall file and serve reply brief(s) no later than January 14, 2009;

IT IS SO ORDERED

DATED 9/11/08



THE HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE