

CHAMBERS COPY

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,)

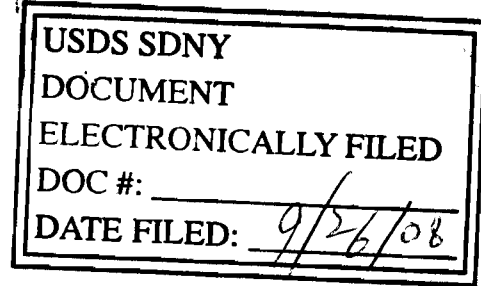
NO. 08-CV-5523 (LAK)

Plaintiff,)

vs.)

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

Defendants.)



STIPULATION AND [~~PROPOSED~~] SCHEDULING ORDER

Lead Plaintiff the Pension Fund Group¹ and Defendants Richard S. Fuld, Jr., Christopher M. O'Meara, Joseph M. Gregory and Erin Callan (collectively, the "Individual 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 September 11, 2008, the Court entered a scheduling order providing (1) that the Lead Plaintiff shall file an amended complaint no later than September 26, 2008; (2) that Defendants shall file and serve responsive pleading(s) or motion(s) no later than November 10, 2008; (3) that if any Defendant moves to dismiss the amended complaint, Lead Plaintiff shall file and serve opposition brief(s) no later than December 10, 2008; and (4) that Defendants shall file and serve reply brief(s) no later than January 14, 2009; and

WHEREAS, on September 15, 2008, defendant Lehman Brothers Holdings Inc. ("Lehman") filed a voluntary petition under Chapter 11 of the Bankruptcy Code in the Bankruptcy Court for the Southern District of New York and, as a result, the automatic stay of Section 362 of the Bankruptcy Code is in effect as to Lehman;

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

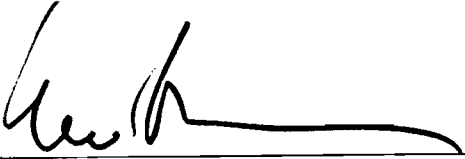
THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Pension Fund Group and by the Individual Defendants, through their respective counsel of record, subject to the approval of the Court, as follows:

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").

1. The Lead Plaintiff shall file an amended complaint no later than October 27, 2008;
2. Defendants shall file and serve responsive pleading(s) or motion(s) no later than December 10, 2008;
3. If any Defendant moves to dismiss the amended complaint, Lead Plaintiff shall file and serve opposition brief(s) no later than January 9, 2009;
4. Defendants shall file and serve reply brief(s) no later than ~~February 13, 2009,~~ ^{January 23, 2009}

IT IS SO ORDERED

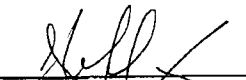
DATED 9/25/08



THE HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE

DATED: September ²⁴, 2008
New York, New York

Respectfully submitted,

By: 

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