

SULLIVAN, S.

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DATE FILED: 10/22/07

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

FRANK BILELLO, individually and on behalf of all :  
others similarly situated, :

Plaintiff, :

vs. :

JPMORGAN CHASE RETIREMENT PLAN, :  
JPMORGAN CHASE DIRECTOR OF HUMAN :  
RESOURCES, as administrator of the JPMorgan :  
Chase Retirement Plan, :

Defendants. :

Case No.: 07-CV-7379(RS) (RJS)

**STIPULATION AND PROPOSED ORDER EXTENDING TIME**

WHEREAS, Plaintiff commenced this action by filing a Class Action Complaint on August 17, 2007;

WHEREAS, Defendants executed a Waiver of Service of Summons pursuant to which Defendants' time for responding to the Complaint expires on October 19, 2007;

WHEREAS, Defendants intend, pursuant to the Court's Individual Practice rule, to request a pre-motion conference in connection with an anticipated motion to dismiss the Complaint;

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein through their undersigned counsel that:

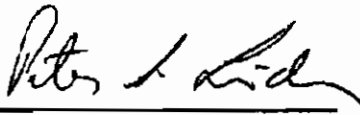
1. Defendants' time to respond to the Complaint is extended until November 2, 2007.
2. If Defendants' response takes the form of a motion to dismiss, Plaintiff's response to that motion may be filed on or before December 14, 2007, and Defendants' reply may be filed on or before January 8, 2008.

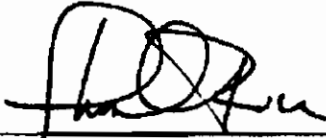
3. This is the Parties' first request for an extension.

Dated: October 17, 2007

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SIMPSON THACHER & BARTLETT LLP

By: 

By: 

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DEPARTMENT

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*Attorneys for Defendants*

So Ordered on October 19, 2007

  
The Honorable Richard Sullivan  
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All motions must be filed in accordance with this Court's Individual Practices. Pursuant to Individual Practices 2.A, pre-motion letters are due October 26, with a response from the non-moving party due by October 30, so that the parties may adhere to this briefing schedule.