

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

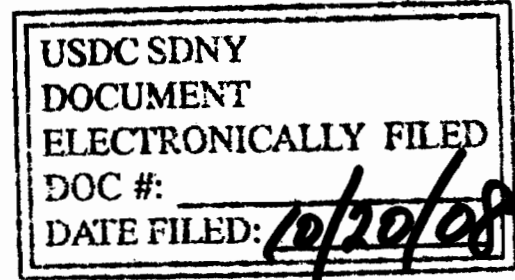
JOHN A. GENOVESE,

Plaintiff,

v.

STEPHEN B. ASHLEY, DANIEL H. MUDD,
STEPHEN M. SWAD and ROBERT J. LEVIN,

Defendants.



No. 08 CV 7831 (GEL)

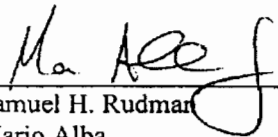
STIPULATION AND [PROPOSED] ORDER

Subject to the approval of the Court, the parties, by their undersigned attorneys, stipulate and agree as follows:

1. The undersigned attorneys accept service of the summons and complaint in this action on their respective client's behalf as of the date of this stipulation.
2. The time for all defendants to move, answer or otherwise respond to the complaint in this action is extended until 45 days after a consolidated amended complaint has been filed in this action or in any action into which this action is consolidated.
3. If counsel for plaintiff John Genovese is selected lead counsel in this action (or in any action into which this action is consolidated) pursuant to section 21D of the Securities and Exchange Act of 1934, defendants agree that the lead plaintiff shall file a consolidated amended complaint no later than 45 days after entry of the Court's order appointing lead plaintiff and lead counsel.
4. Each defendant expressly reserves all defenses other than insufficient process or insufficient service of process.

Dated: New York, New York
October 15, 2008

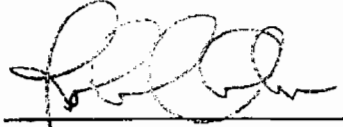
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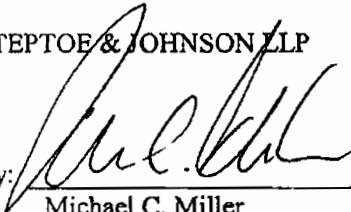
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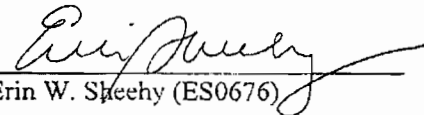
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SO ORDERED:

U.S.D.J.

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SO ORDERED:



U.S.D.J.
10/20/08