

1 SARA B. BRODY (Bar No. 130222)  
2 HOWARD S. CARO (Bar No. 202082)  
3 CECILIA Y. CHAN (Bar No. 240971)  
4 HELLER EHRLMAN LLP  
5 333 Bush Street  
San Francisco, CA 94104  
Telephone: 415.772.6000  
Facsimile: 415.772.6468  
Email: Sara.Brody@hellerehrman.com

6 NORMAN J. BLEARS (Bar No. 95600)  
7 ROBIN E. WECHKIN (admitted *pro hac vice*)  
8 HELLER EHRLMAN LLP  
9 275 Middlefield Road  
Menlo Park, CA 94025-3506  
Telephone: 650.324.7000  
Facsimile: 650.324.0638  
Email: Norman.Blears@hellerehrman.com

10 Attorneys for MERCURY INTERACTIVE CORPORATION  
11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

15 In re MERCURY INTERACTIVE CORP. ) Master File No.: 5:05-CV-3395-JF (PVT)  
16 SECURITIES LITIGATION, )  
17 )  
18 This Document Relates To: ) **STIPULATION AND [PROPOSED]  
ALL ACTIONS ) ORDER VACATING THE APRIL 25, 2008  
19 ) CASE MANAGEMENT CONFERENCE  
20 )  
21 )  
22 )  
23 )  
24 )  
25 )  
26 )  
27 )  
28 )**

---

1 WHEREAS, the above-captioned action has been resolved pursuant to a Memorandum of  
2 Understanding (the "MOU") and a Stipulation of Settlement signed by the parties;

3 WHEREAS, pursuant to the MOU and the Stipulation of Settlement, the Lead Plaintiff is in  
4 the process of conducting confirmatory discovery;

5 WHEREAS, the proposed settlement is subject to Court approval; and

6 WHEREAS, the parties agree that, in light of the pending settlement, it is in the best interest  
7 of judicial economy and the resources of the parties that the currently scheduled April 25, 2008  
8 Case Management Conference before this Court be vacated.

9 IT IS HEREBY STIPULATED AND AGREED, by and between all parties, through their  
10 respective undersigned attorneys, that the April 25, 2008 Case Management Conference be vacated.

11 DATED: April 14, 2008

12 Respectfully submitted,

13 HELLER EHRLMAN LLP

14 By /s/ Cecilia Y. Chan

15 Cecilia Y. Chan  
16 Attorneys for Defendant  
17 MERCURY INTERACTIVE CORPORATION

18 DATED: April \_\_\_\_, 2008

19 LABATON SUCHAROW LLP

20 By \_\_\_\_\_

21 Michael H. Rogers  
22 Attorneys for Lead Plaintiff  
23 MERCURY PENSION FUND GROUP AND THE  
24 CLASS

25 DATED: April 14, 2008

26 FARELLA BRAUN + MARTEL LLP

27 By /s/ C. Brandon Wisoff

28 C. Brandon Wisoff  
Attorneys for Defendant  
SHARLENE ABRAMS

1 DATED: April 14, 2008

ORRICK, HERRINGTON & SUTCLIFFE LLP

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

By /s/ M. Todd Scott

M. Todd Scott

Attorneys for Defendant

SUSAN SKAER

DATED: April 14, 2008

JONES DAY

By /s/ John D. Cline

John D. Cline

Attorneys for Defendant

AMNON LANDAN

DATED: April 14, 2008

SHEARMAN & STERLING LLP

By /s/ Emily Griffen

Emily Griffen

Attorneys for Defendant

DOUGLAS P. SMITH

15

16

17

18

19

20

21

22

23

24

25

26

27

28

By /s/ Eric S. Goldstein

Eric S. Goldstein

Attorneys for Defendants

IGAL KOHAVI, GIORA YARON AND YAIR SHAMIR

15

16

17

18

19

20

21

22

23

24

25

26

27

28

DATED: April 14, 2008

GIBSON, DUNN & CRUTCHER LLP

By /s/ Scott Fink

Scott Fink

Attorneys for Defendant

PRICEWATERHOUSECOOPERS, LLP

## **ATTESTATION OF E-FILED SIGNATURE**

2 I, Cecilia Y. Chan, attest that signatories have read and approved this Stipulation and  
3 [Proposed] Order Vacating the April 25, 2008 Case Management Conference, and consent to its  
4 filing in this action.

/s/ Cecilia Y. Chan

CECILIA Y. CHAN

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATED: 4/16/08

HONORABLE JEREMY FOGEL

SF 1455434 v1