

Charles K. Manock #161633  
Sherrie M. Flynn #240215

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**BAKER, MANOCK & JENSEN, PC**  
FIG GARDEN FINANCIAL CENTER  
5260 NORTH PALM AVENUE, FOURTH FLOOR  
FRESNO, CALIFORNIA 93704-2209  
TELEPHONE (559) 432-5400  
TELECOPIER (559) 432-5620

Plaintiff DAIRYAMERICA, INC.

Attorneys for

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DAIRYAMERICA, INC.,  
  
Plaintiff,  
  
v.  
  
NEW YORK MARINE AND GENERAL  
INSURANCE COMPANY; CRUMP  
INSURANCE SERVICES d.b.a. SOUTHERN  
MARINE & AVIATION UNDERWRITERS;  
ARTHUR J. GALLAGHER & CO.; and  
HARTFORD CASUALTY INSURANCE  
COMPANY; and DOES 1 through 75  
  
Defendants.

) Case No.: 1:07-cv-00537-LJO-SMS  
)  
)  
) **JOINT STIPULATION AND ORDER**  
) **TO ALLOW PLAINTIFF**  
) **DAIRYAMERICA, INC. TO**  
) **PROPOUND ADDITIONAL SPECIAL**  
) **INTERROGATORIES**  
)  
) ACTION FILED: February 16, 2007  
) TRIAL DATE: August 30, 2010  
)  
)  
)

WHEREAS, the Court granted Plaintiff DAIRYAMERICA, INC. (“DairyAmerica”) leave to file a Third Amended Complaint adding a cause of action for bad faith against Defendant HARTFORD CASUALTY INSURANCE COMPANY (“Hartford”), after Plaintiff had propounded a set of Special Interrogatories under Federal Rules of Civil Procedure, Rule 33; and

WHEREAS, the facts relating to DairyAmerica’s claim of bad faith are numerous. Accordingly, pursuant to the Local Rules of the United States District Court for the Eastern District of California, Rule 83-143, Plaintiff and Defendant, by and through their respective attorneys of record, STIPULATE AND AGREE as follows:

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1. DairyAmerica can propound on Hartford a total of no more than 35 special interrogatories pursuant to Federal Rule of Civil Procedure, Rule 33, and Hartford agrees to respond to no more than 35 special interrogatories from DairyAmerica; and

2. Hartford can propound on DairyAmerica a total of no more than 35 special interrogatories pursuant to Federal Rule of Civil Procedure, Rule 33, and Plaintiff DairyAmerica agrees to respond to no more than 35 special interrogatories from Hartford.

All parties that have appeared in this action and are affected by the stipulation, have signed below, indicating their agreement to this stipulation.

DATED: November 13, 2009

BAKER MANOCK & JENSEN, PC

By: /s/ Sherrie M. Flynn  
Charles K. Manock  
Sherrie M. Flynn  
Attorneys for Plaintiff  
DAIRYAMERICA, INC.

DATED: November 13, 2009

CANNON & NELMS

By: /s/ Robert W. Nelms  
Robert W. Nelms  
Attorneys for Defendant  
HARTFORD CASUALTY INSURANCE  
COMPANY

**PURSUANT TO THIS STIPULATION,**

IT IS SO ORDERED.

**Dated: November 13, 2009**

**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE