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10 Attorneys for Plaintiff Melanie Casey

11  
 12 UNITED STATES DISTRICT COURT  
 13 EASTERN DISTRICT OF CALIFORNIA  
 14

15 In re	)	District Court No.
16 ALAN EDWARD KENNEDY,	)	2:07-CV-00069-FCD-GGH
17 Debtor.	)	
18 _____	)	BK Case No. 05-33187-C7
19 MELANIE CASEY,	)	Adversary Proceeding No.
20 Plaintiff,	)	07-2046-C
21 v.	)	STIPULATION REGARDING
22 ALAN EDWARD KENNEDY,	)	MODIFICATION OF AMENDED PRETRIAL
23 Defendant.	)	CONFERENCE ORDER; ORDER
24 _____	)	

25 Plaintiff Melanie Casey (“Casey”) and Defendant Alan Edward Kennedy  
 26 (“Kennedy”), by and through their counsel of record, do hereby agree and stipulate as follows:  
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1           1.       Upon approval of this Court, certain deadlines in the June 12, 2009  
2 Amended Pretrial Conference Order shall be modified as follows in order to accommodate the  
3 new trial date of September 9, 2009:

4           (a) Section V: In limine motions shall be filed on or before August 28, 2009.  
5 Opposition, if any, shall be filed on or before September 1, 2009. Reply, if any, shall be filed on  
6 or before September 3, 2009.

7           (b) Section VIII: Trial briefs shall be filed on or before September 1, 2009.

8           (c) Section X: The joint statement of the case shall be filed on or before  
9 September 1, 2009.

10          (d) Section XII.C: As to each exhibit, each party is ordered to exchange copies of  
11 the exhibit no later than August 28, 2009. Each party has until September 3, 2009 to object to  
12 the exhibits.

13          (e) Section XV.A: Joint jury instructions shall be submitted electronically on  
14 August 31, 2009. The contested instruction(s) and memorandum shall be filed with the joint set  
15 of instructions. The party opposed to the contested instruction(s) shall submit a brief  
16 memorandum succinctly stating the legal basis of the objections(s) on September 3, 2009.

17          (f) Section XV.B: The parties shall electronically submit a joint verdict form(s)  
18 concurrently with proposed jury instructions on August 31, 2009. Where disagreement exists,  
19 the parties shall explain the disagreement and file points and authorities supporting their  
20 respective positions on September 3, 2009.

21          (g) Section XVIII, XXII: Pursuant to Federal Rule of Evidence 412(c)(1)(A), on  
22 or before August 28, 2009, defendant must file a written motion specifically describing the  
23 evidence of plaintiff's sexual history and the purpose for which it is offered. Plaintiff's  
24 opposition must be filed on or before September 1, 2009. Defendant's reply, if any, shall be filed  
25 on or before September 3, 2009.

26          (h) all other deadlines in the Amended Pretrial Conference Order remain  
27 unchanged.

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2. There is good cause to modify the Amended Pretrial Conference Order. On August 21, 2009, the trial in this case was advanced from February 9, 2010 to September 9, 2009 at the parties' request. At the time the September 9, 2009, trial date was set, certain of the deadlines in the Amended Pretrial Conference Order had already passed (i.e. there was less than 21 days before trial).

Dated: August 26, 2009

PORTER SCOTT PC

/s/ Jennifer E. Duggan  
By: Jennifer E. Duggan  
Attorneys for Defendant Alan Edward Kennedy

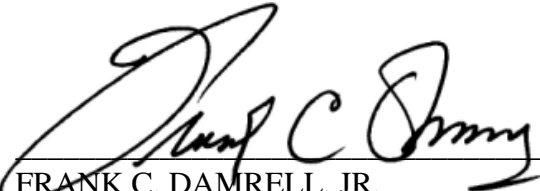
Dated: August 26, 2009

MENNEMEIER, GLASSMAN & STROUD LLP

/s/ Margaret Carew Toledo  
By: Margaret Carew Toledo  
Attorneys for Plaintiff Melanie Casey

IT IS SO ORDERED.

DATED: August 26, 2009

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE