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(also erroneously sued as Zurich American Insurance
6 Group)

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10
11 MATHEW J. HEWITT, ET AL.,

Case No. CV-08-01057-JAM-JFM

12 Plaintiff,

**STIPULATION FOR ENTRY OF
MODIFIED SCHEDULING ORDER**

13 v.

14 ZURICH AMERICAN INSURANCE
GROUP, MARYLAND CASUALTY
15 COMPANY

16 Defendants.

17
18 Plaintiffs Matthew J. Hewitt and Pacific Crest Research Corporation, through their
19 counsel of record Palmer Kazanjian Wohl Perkins LLP, and Defendant Maryland Casualty
20 Company (also erroneously sued as Zurich American Insurance Group), through its counsel of
21 record, Bishop, Barry, Howe, Haney & Ryder, hereby stipulate to the entry of a modified
22 scheduling order to extend the deadlines for disclosure of expert witnesses, cutoff of non-expert
23 discovery, and filing and hearing of dispositive motions for 30 days.

24 Pursuant to the Court's July 21, 2008, Order, expert disclosures are due on January 16,
25 2009; non-expert discovery is to be completed by March 13, 2009; dispositive motions are to be
26 filed by April 22, 2009; a Pretrial Conference is scheduled for June 26, 2009; and trial is
27 scheduled for August 3, 2009.

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1 This request is made in good faith and is not for the purpose of causing any undue delay.
2 In particular, the parties are engaged in discussions that they hope will lead to a negotiated
3 settlement of this case without the necessity of litigation. The parties therefore request that the
4 Court enter a new scheduling order as follows:

5	Expert witness disclosures	February 17, 2009
6	Discovery Cutoff	April 13, 2009
7	Dispositive motions to be filed	May 20, 2009
8	Dispositive motions to be heard	June 17, 2009 at 9:00 a.m.
9	Joint pretrial statement	July 17, 2009
10	Pretrial conference	July 24, 2009 at 2:00 p.m.
11	Jury trial	August 31, 2009 at 9 a.m.

12 Dated this 23rd day of January, 2009

Dated this 23rd day of January, 2009

13
14 _____ /s/
Jonathan Gross
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_____ /s/
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23 Attorneys for Defendant MARYLAND
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24 sued as Zurich American Insurance Group)

Attorneys for Plaintiffs MATTHEW HEWITT
AND PACIFIC CREST RESEARCH
CORPORATION

25 **IT IS SO ORDERED:**

26 Dated: January 23, 2009

/s/ John A. Mendez
JUDGE JOHN A. MENDEZ
UNITED STATES DISTRICT JUDGE