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Attorneys for Plaintiff and Counter-Defendant,  
 Patriot Rail Corp. and Cross-Defendant  
 Patriot Rail, LLC

Attorneys for Defendant and Counterclaimant  
 Sierra Railroad Company

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA  
 SACRAMENTO DIVISION

PATRIOT RAIL CORP., a Delaware  
 corporation,

Plaintiff,

v.

SIERRA RAILROAD COMPANY, a  
 California corporation,

Defendant.

Case No. 2:09-cv-00009-TLN-AC

**STIPULATION AND ORDER FOR  
 POST-TRIAL BRIEFING SCHEDULE,  
 PAGE LIMITS, AND EXTENDING  
 TIME ON ATTORNEYS' FEES  
 MOTION AND COST BILL**

Date:  
 Time:  
 Dept: Courtroom 2  
 Judge: Hon. Troy L. Nunley

And Related Counterclaim

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1. On October 31, 2014, the Court issued an order (ECF 532) clarifying entry of judgment and establishing the briefing schedule for Patriot's previously-filed motion for new trial:

2. On Patriot's new trial motion regarding punitive damages (to be filed), Sierra and Patriot agree to the following schedule, if approved by the Court:

3. On Patriot's renewed motion for judgment as a matter of law (to be filed), Sierra and Patriot agree to the following schedule, if approved by the Court:

4. Hearing on all motions are to be set by the Court.

1 any attorneys' fees motion or costs bill that Sierra would file under the default deadlines  
2 prescribed by L.R. 292 and 293 would need to be supplemented.

3 6. The page limit for all principal briefs in the matters described above is 30 pages, in  
4 accordance with the Court's prior ruling. ECF 479. Reply briefs will be limited to 15 pages.

5 7. For the Court's convenience in setting any hearing on these matters, the parties  
6 attach as **Exhibit A** the dates on which counsel currently have existing obligations.

7  
8 Respectfully submitted,

9  
10 Dated: November 4, 2014

MARY-OLGA LOVETT  
STEPHEN E. PAFFRATH  
GREENBERG TRAURIG, LLP

12  
13 By: /s Mary-Olga Lovett (as authorized on 11-4-14)  
MARY-OLGA LOVETT  
14 Attorneys for Plaintiff and Counter-Defendant  
Patriot Rail Corp. and Cross-Defendant Patriot Rail,  
15 LLC

16 Dated: November 4, 2014

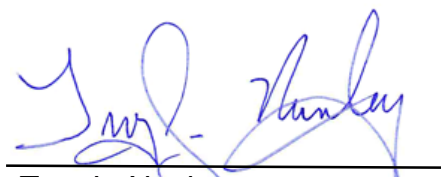
MCGREGOR W. SCOTT  
MICHAEL C. WEED  
ORRICK, HERRINGTON & SUTCLIFFE LLP

18  
19 By: /s Michael C. Weed  
MICHAEL C. WEED  
20 Attorneys for Defendant and Counterclaimant  
Sierra Railroad Company

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23 **ORDER**

24 IT IS SO ORDERED.

25 Dated: November 6, 2014

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Troy L. Nunley  
United States District Judge

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# EXHIBIT A

1 **CONFLICTS OF COUNSEL**

2 Sierra's counsel is unavailable during the following dates due to out-of-the-country travel  
3 or local commitments:

- 4 • January 25-30, 2015  
5 • February 4, 2015  
6 • February 19-27, 2015  
7 • March 11-12, 2015  
8 • March 30-31, 2015  
9 • April 1-3, 2015

10 Patriot's counsel is unavailable during the following dates due to trial commitments in  
11 other matters:

- 12 • A five-day trial to be "called on short notice" in the month of February 2015.  
13 Patriot's counsel should be able to confirm the exact trial dates by January 30,  
14 2015.  
15 • March 9-13, 2015

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