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15 Attorneys for Defendants
Metropolitan West Securities, LLC and Wells
16 Fargo Bank, N.A., successor by merger to
Wachovia Bank, N.A.
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18 UNITED STATES DISTRICT COURT

19 EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION

20 CALIFORNIA EARTHQUAKE AUTHORITY,

21 Plaintiff,

22 vs.

23 METROPOLITAN WEST SECURITIES, LLC;
WACHOVIA BANK, N.A.; and DOES 1 through
24 25,

25 Defendants.

No.: 2:10-CV-00291 MCE (GGH)

**STIPULATION AND ORDER ON
PARTIES' LIMITED PROTECTIVE
ORDER AND PROTOCOL**

Date action removed: February 4, 2010
Trial date: October 7, 2013

1 WHEREAS, Plaintiff California Earthquake Authority (“CEA”) and Defendants
2 Metropolitan West Securities LLC (“MetWest”) and Wells Fargo Bank, N.A., successor by merger
3 to Wachovia Bank, N.A. (collectively, “Defendants”) have been meeting and conferring in good
4 faith to reach a protocol governing the discovery issues remaining in this case;

5 WHEREAS, the parties submitted a stipulation on June 29, 2012 that was signed by this
6 Court on July 3, 2012, which left the issue of the protocol and protective order to govern the
7 production of data from the most recent MetWest GroupWise backup tape to the CEA open subject
8 to further negotiations (“Backup Tape Protocol and Protective Order”);

9 WHEREAS, the parties’ agreement contemplated that the parties would continue to meet and
10 confer in good faith regarding the Backup Tape Protocol and Protective Order, and that the parties
11 would be able to reach a final agreement on the Backup Tape Protocol and Protective Order by
12 July 3, 2012;

13 WHEREAS, the parties have continued to meet and confer in good faith on the Backup Tape
14 Protocol and Protective Order;

15 WHEREAS, the parties have determined that they need to obtain additional technical
16 information regarding the restoration of the MetWest GroupWise backup tape before they can reach
17 a final agreement on the Backup Tape Protocol and Protective Order;

18 WHEREAS, the necessary technical information regarding the restoration of the MetWest
19 GroupWise backup tape will not be available to the parties for a minimum of two weeks;

20 NOW, THEREFORE, IT IS HEREBY STIPULATED by and among Plaintiff California
21 Earthquake Authority and Defendants Metropolitan West Securities, LLC and Wachovia Bank,
22 N.A., through the undersigned counsel, that the parties be permitted an additional two weeks within
23 which to reach an agreement on the limited discovery protocol to govern the production of the most
24 recent MetWest GroupWise backup tape. The parties shall file the Backup Tape Protocol and
25 Protective Order on or before Tuesday, July 17, 2012.

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IT IS SO STIPULATED:

DATED: July 3, 2012 REED SMITH LLP

By /s/ Christopher Foster
David C. Powell
Jesse L. Miller
Christopher C. Foster
Attorneys for Defendants Metropolitan West
Securities, LLC and Wachovia Bank, N.A.

DATED: July 3, 2012 STRUMWASSER & WOOCHEER LLP

By /s/ Patricia Pei
Michael J. Strumwasser
Fredric D. Woocher
Patricia T. Pei
Attorneys for Plaintiff California Earthquake
Authority

IT IS SO ORDERED:

Dated: July 5, 2012 /s/ Gregory G. Hollows

The Honorable Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE