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2 statement setting forth an agreed upon allocation for fiscal year 2009-10 or, if no agreement  
3 has been reached, separate opening briefs setting forth their respective positions with respect  
4 to an appropriate allocation.

5           4. If the parties have not reached agreement, Defendants shall respond to each  
6 other's opening briefs by no later than Friday, May 15, 2009. The Court shall hold a hearing  
7 on the allocation issue on Wednesday, May 27, 2009 at 10:00 A.M. To the extent that  
8 Plaintiffs wish to address this matter, they may file comments responding to defendants'  
9 opening briefs no later than May 15, 2009.

10           The Court will also hold a Status Conference on Wednesday, May 27, 2009 at 10:00  
11 A.M., whether or not a hearing on the allocation of costs is necessary. The Parties shall  
12 submit status conference statements one week before the conference.

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14 **IT IS SO ORDERED.**

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17 Dated: March 11, 2009

  
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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT

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