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***on Signature Page***

14 **UNITED STATES DISTRICT COURT**  
 15 **NORTHERN DISTRICT OF CALIFORNIA**  
 16

17 RICHARD SMITH AND REBECCA  
 18 KLEIN, on behalf of themselves and all  
 19 others similarly situated,

20 Plaintiffs,

21 v.

22 FORD MOTOR COMPANY, and DOES 1-  
 23 100, inclusive,

24 Defendants.

Case No. C 06 0497 MMC JL

**STIPULATION AND PROPOSED  
 ORDER REVISING SCHEDULE  
 REGARDING DISPOSITIVE  
 MOTIONS**

1 At the conclusion of the case management conference (“CMC”) the Court  
2 instructed the parties’ counsel to discuss the matter further following the CMC in  
3 an effort to resolve it in light of the Stipulation and Order Regarding Dispositive  
4 Motion Schedule that the Court issued on August 19, 2008. The parties’ counsel  
5 complied with the Court’s instructions and have agreed to resolve their discovery  
6 dispute (either informally or by filing a motion with Magistrate Larson) and to  
7 request that the Court adopt the schedule set forth below.

8  
9 Accordingly, the parties have stipulated to the following schedule and hereby  
10 submit it to the Court for adoption as an order:

11  
12 **May 11, 2009** Plaintiffs conclude discovery pertaining to issues raised by  
13 Defendant’s motions for summary judgment (including depositions  
14 of Defendant’s declarants).

15 **May 26, 2009** Plaintiffs file briefs in opposition to motions for summary  
16 judgment and (possibly) cross-motion for summary judgment.

17 **June 9, 2009** Defendant completes depositions of Plaintiffs’ declarants.

18  
19 **June 23, 2009** Defendant files reply brief(s) in support of motions for summary  
20 judgment.

21 **July 17, 2009** Hearing of motion for summary judgment.<sup>1</sup>  
22  
23  
24

25 \_\_\_\_\_  
26 <sup>1</sup> In the event that Plaintiffs file a cross-motion for summary judgment, the  
27 parties’ shall, no later than five days thereafter, submit a stipulated revised briefing  
28 schedule in which the proposed hearing date on both motions shall be no earlier  
than three weeks after plaintiffs’ reply is filed.

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**SO STIPULATED.**

DATED: February 16, 2009

**FAZIO | MICHELETTI LLP**

by           /s/ Jeffrey L. Fazio            
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DATED: February 16, 2009

**SNELL & WILMER LLP**

by           /s/ Robert J. Gibson            
Robert J. Gibson

Attorneys for Defendant  
Ford Motor Company

**SO ORDERED.**

DATED: February 18 \_\_\_\_\_, 2009

          Maxine M. Chesney            
Hon. Maxine M. Chesney  
United States District Judge