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 15 GE TRANSPORTATION SYSTEMS
 GLOBAL SIGNALING, LLC

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

20 SAN FRANCISCO BAY AREA RAPID
 TRANSIT DISTRICT,

21 Plaintiff,

22 vs.

23 GE TRANSPORTATION SYSTEMS
 24 GLOBAL SIGNALING, LLC,

25 Defendant.

Case No. C 06-3749 JSW

STIPULATED REQUEST AND
~~**[PROPOSED] ORDER MODIFYING**~~
PRETRIAL SCHEDULE

Judge: Hon. Jeffrey S. White

Complaint Filed: June 13, 2006
 Trial Date: February 1, 2010

26 AND RELATED COUNTERCLAIM
 27

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff and Counterdefendant San Francisco
 2 Bay Area Rapid Transit District (“BART”) and Defendant and Counterclaimant GE
 3 Transportation Systems Global Signaling, LLC (“GETS”) hereby stipulate and request that the
 4 Court issue an order reflecting a modest adjustment to the pre-trial schedule set forth in its
 5 May 1, 2009 Order. As a result of the parties’ diligence in completing fact discovery in this
 6 matter, the parties are in the process of exchanging further collections of documents of particular
 7 relevance to the parties’ respective experts. Despite the parties’ best efforts to produce and
 8 review these documents in a timely manner, the parties require, and therefore respectfully request,
 9 a short extension of the expert discovery and corresponding dispositive motion deadlines.

10 The Special Master, the Honorable William Bettinelli, joins the parties in requesting an
 11 adjustment of the dispositive motion schedule. The Special Master continues to recognize the
 12 parties’ substantial progress, but further recognizes that an extension of time is necessary for the
 13 parties to prepare their respective expert witness disclosures. See Discovery Order No. 12 (July
 14 1, 2009) (attached as Exhibit A).

15 The parties have accordingly met and conferred and, with the assistance of the Special
 16 Master, stipulated to the proposed pre-trial schedule, subject to the approval of the Court, as set
 17 forth below:

- 18 • Fact discovery deadline: July 9, 2009
- 19 • Last day for expert disclosures: July 31, 2009¹
- 20 • Rebuttal expert disclosures: Aug. 19, 2009²
- 21 • Dispositive motion deadline: Sept. 9, 2009³
- 22 • Opposition briefs to dispositive motions: Sept. 29, 2009
- 23 • Reply briefs in support of dispositive motions: Oct. 13, 2009
- 24 • Dispositive motion hearing: Nov. 6, 2009
- 25 /// Pretrial conference: February 1, 2010 at 2:00 p.m.
- 26 /// Trial: February 22, 2010 at 8:00 a.m.

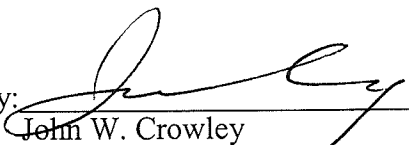
27 ¹ Currently July 10, 2009, per Discovery Management Order No. 11.
 28 ² Currently August 4, 2009, per Discovery Management Order No. 11.
³ Currently, August 31, 2009, per this Court’s Order of May 1, 2009.

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IT IS SO STIPULATED.

DATED: June 30, 2009

CROWLEY, STRINGER & FENSKE LLP

By: 
John W. Crowley

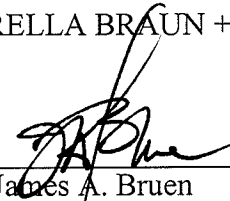
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DATED: June 30, 2009

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By: 
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Attorneys for Defendant and Counterclaimant
GE TRANSPORTATION SYSTEMS
GLOBAL SIGNALING, LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: July 2, 2009


HONORABLE JEFFREY S. WHITE
United States District Judge