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12 Attorneys for Plaintiff and Counter-Defendant
 13 STONEBRAE L.P.

14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **(SAN FRANCISCO DIVISION)**

17 STONEBRAE L.P., a Delaware limited
 18 partnership,

Plaintiff,

19 v.

20 TOLL BROS., INC.; a Pennsylvania corporation;
 21 TOLL BROTHERS, INC., a Pennsylvania
 22 corporation; DOES 1 through 15, inclusive,

Defendants.

Case No. C 08-00221-EMC

**STIPULATION AND [PROPOSED]
 ORDER RE:**

**(1) REVISIONS TO BRIEFING
 AND HEARING SCHEDULE ON
 STONEBRAE L.P.'S MOTIONS
 FOR AWARD OF ATTORNEYS'
 FEE AND COSTS AND FOR
 DETERMINATION OF PRE-
 JUDGMENT INTEREST**

**(2) MODIFICATION OF PAGE
 LIMITS ON STONEBRAE L.P.'S
 MOTION FOR AWARD OF
 ATTORNEYS' FEES AND COSTS**

Trial Date: February 28, 2011
 [Vacated]

1 Plaintiff and Counter-Defendant Stonebrae L.P. ("Stonebrae") and Defendant and
2 Counter-Claimant Toll Bros., Inc. ("Toll"), by and through their attorneys of record,
3 hereby stipulate and agree as follows:

4 1. At the November 3, 2010 Status Conference, a briefing and hearing schedule
5 was established for resolution of Stonebrae's motion for attorneys' fees and costs and
6 determination of pre-judgment interest. (Dkt. # 249.)

7 2. Stonebrae and Toll agree to an extension of the briefing and hearing schedule
8 on Stonebrae's motions for award of attorneys' fees and costs and determination of pre-
9 judgment interest as follows:

10 a. December 29, 2010: Last date for Stonebrae to file its moving papers
11 for each motion;

12 b. February 7, 2011: Last date for Toll to file its opposition papers;

13 c. February 28, 2011: Last date for Stonebrae to file its reply papers;

14 and

15 d. March 16, 2011 (at 10:30 a.m.): Hearing (assuming the Court is
16 available that day).

17 3. With respect to Stonebrae's motion for award of attorneys' fees and costs,
18 Stonebrae and Toll agree to a modification of the ³⁰pages limits in Civ. L.R. Rule 7-4(b) as
19 follows: Stonebrae's opening brief not to exceed ~~40~~³⁰ pages; Toll's opposition brief not to
20 exceed ~~40~~³⁰ pages and Stonebrae's reply brief not to exceed 20 pages. The pages limits in
21 Civ. L.R. 7-4(b) shall apply to Stonebrae's motion for determination of pre-judgment
22 interest.

23 Dated: December 10, 2010

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

24 COOPER & KIRKHAM P.C.

25 By /s/ Philip F. Atkins-Pattenson

26 PHILIP F. ATKINS-PATTENSON

27 Attorneys for Plaintiff and Counter-Defendant

STONEBRAE L.P.

28 -2-

1 Dated: December 10, 2010

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3 KASOWITZ BENSON TORRES & FRIEDMAN LLP

4
5 By /s/ Christopher J. McNamara
6 CHRISTOPHER J. MCNAMARA

7 Attorneys for Defendant and Counter-Claimant
8 TOLL BROS., INC.

9 **ORDER**

10 Having considered the parties' Stipulation and good cause appearing in
11 support thereof, it is so ordered. The hearing on Stonebrae's motions shall be on
12 3/16 , 2011 at 10:30 a.m. . (See modifications on page 2)

13
14 Dated: 12/15/10

