

1 **Steve McNichols, SBN 43556**
 2 **Everitt G. Beers, SBN 92505**
 3 **David Austin, SBN 215371**
 4 **Randy Sullivan, SBN 229326**
 5 **MCNICHOLS BEERS LLP**
 6 6600 Koll Center Parkway, Suite 250
 7 Pleasanton, California 94566
 8 Telephone (925) 600-1800
 9 Facsimile (925) 600-1802

10
 11 Attorneys for Defendants and Counter-Claimants
 12 **CHANG SU-O LIN, HONG LIEN LIN**
 13 **AND HONG YAO LIN**

14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

14 TOLL BROTHERS, INC.,
 15
 16 Plaintiff,
 17
 18 vs.
 19
 20 CHANG SU-O LIN, HONG LIEN
 21 LIN AND HONG YAO LIN,
 22
 23 Defendants.

No. C08 00987 SC

**ASSIGNED FOR ALL PURPOSES
 TO: HON. SAMUEL CONTI
 COURTROOM 1**

**STIPULATION TO MODIFY THE
 JULY 25, 2008 STATUS
 CONFERENCE ORDER TO MODIFY
 THE DEADLINE FOR EXCHANGE
 OF EXPERT REPORTS**

24
 25
 26
 27
 28

RELATED –CROSS CLAIMS

Action Filed: 2-19-08

This Stipulation is made and entered into by and between Toll Brothers, Inc., (“Toll”) and Chang Su-O Lin, Hong Lien Lin, and Hong Yao Lin (collectively hereinafter referred to as the Lins) through their respective counsel, and is made in reference to the following facts:

1 1. On December 15, 2008, the parties exchanged their initial
2 disclosures of expert witnesses.

3 2. Expert reports for those expert witnesses are currently set to be
4 exchanged on December 23, 2008.

5 3. The parties desire to change the date for exchange of expert reports
6 to December 30, 2008, seven days later than the present date.

7 4. Rebuttal expert witnesses and their reports are currently set to be
8 exchanged on January 9, 2009.

9 5. The parties desire to change the date for the exchange of rebuttal
10 expert witnesses and their reports to January 16, 2009.

11 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by
12 the parties through their counsel of record hereto, that:

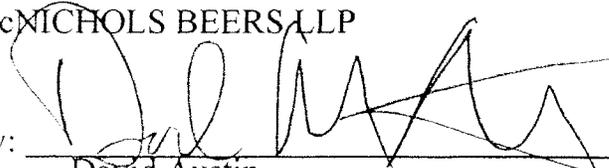
13 1. The expert witness reports required by Federal Rule of Civil
14 Procedure Rule 26(2)(B) will be exchanged on December 30, 2008;

15 2. Rebuttal expert witnesses and their reports will be exchanged on
16 January 16, 2009; and

17 3. The parties respectfully request that this Court approve their
18 stipulation to modify the deadline for exchange of expert reports and the deadline
19 for exchange of rebuttal witnesses and their reports and modify its status order
20 accordingly.

21 December 17, 2008

22 McNICHOLS BEERS LLP

23 By: 
24 _____

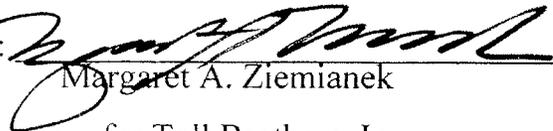
25 David Austin

26 Attorneys for Defendants/Counter-Claimants
27 Chang Su-o Lin, Hong Lien Lin,
28 and Hong Yao Lin

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

December 17, 2008

KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP

By: 
Margaret A. Ziemianek
Attorneys for Toll Brothers, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Good cause appearing and based upon the foregoing Stipulation;

IT IS ORDERED that the Court's July 25, 2008 Status Conference Order be modified as follows:

1. The disclosure of expert witness reports required by Federal Rule of Civil Procedure Rule 26(a)(2)(B) will be exchanged on December 30, 2008;
2. The rebuttal witnesses and their reports required by Federal Rule of Civil Procedure Rule 26(a)(2)(C) will be exchanged on January 16, 2009; and
3. The remainder of the July 25, 2008 Status Conference Order, as modified by this Order and prior Orders, shall remain in effect.

Dated: December 19, 2008

