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17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19
 20 In re CALIFORNIA TITLE INSURANCE
 ANTITRUST LITIGATION

No. 08-cv-1341-JSW

CLASS ACTION

21
 22 THIS DOCUMENT RELATES TO:

STIPULATION AND ~~PROPOSED~~
 ORDER MODIFYING CLASS
 CERTIFICATION SCHEDULE
AS MODIFIED HEREIN

23
 24 ALL ACTIONS

Honorable Jeffrey S. White

1 Plaintiffs Lynn Bartron, Lisa Blackwell, Ruben Romero and Sarah Yahn, Lisa Gentilcore,
2 Susan Doolittle, Mark Moynahan, Emilse Magana, and Louis and Silvia Martinez (collectively
3 “Plaintiffs”) and defendants First American Title Insurance Company, Old Republic National Title
4 Insurance Company, Fidelity National Title Insurance Company, Chicago Title Insurance Company
5 and Commonwealth Land Title Insurance Company (collectively “Defendants”), by their attorneys,
6 hereby stipulate¹ as follows:

7 WHEREAS, Plaintiffs wish to seek the Court’s permission to modify the briefing, expert
8 discovery and hearing schedule (Dkt. No. 214) associated with Plaintiffs’ Motion for Class
9 Certification (“Motion for Class Certification”), for a two-week period, for good cause on the grounds
10 that: (i) Plaintiffs and their expert desire an additional, brief period of time to review and analyze a
11 substantial number of documents and ESI relevant to class certification issues that were only recently
12 produced by a third party bankruptcy trustee; and (ii) Co-Lead Class Counsel has a personal scheduling
13 conflict which was not known to counsel at the time of the Court’s prior class certification scheduling
14 order; and

15 WHEREAS, the parties have met and conferred on the proposed modifications and agree that
16 the requested modified schedule set forth in this stipulation would, if approved by the Court, result in a
17 more orderly and efficient litigation of the case, while only modestly changing the currently-scheduled
18 dates on Plaintiffs’ Motion for Class Certification; and

19 WHEREAS, the requested modified briefing and hearing schedules will, if approved by the
20 Court, not effect a change in the pre-trial schedule, other than as requested herein, or the previously-
21 scheduled trial date; and

22 WHEREAS, the proposed modifications, if approved by the Court, will have the effect of
23 moving only one previously-scheduled Court date, the hearing date on the Motion for Class
24 Certification, from November 4, 2011 to November 18, 2011;

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27 ¹ The parties submit this stipulation and proposed order in accordance with the Court’s directive that
28 requests to modify scheduling deadlines be submitted either by way of “a stipulation and proposed order
or a Joint Administrative Motion and proposed order.” (Dkt. No. 214 at 8, as modified by the Court)
(bold text in original).

1 THEREFORE, the parties hereby stipulate, subject to the Court's approval, that the briefing,
 2 expert discovery and hearing schedule on Plaintiffs' Motion for Class Certification be modified as
 3 follows:

Event	Current Date	Proposed Date
Last day for moving party to file and serve a motion for or to deny class certification.	June 10, 2011	June 24, 2011
Deposition(s) of moving party(ies) class certification-related witness(es)	July 22, 2011	August 5, 2011
Last day to file opposition papers to motion(s) for or to deny class certification, along with supporting evidence, including identification of class certification-related expert and expert reports.	August 12, 2011	August 31, 2011
Deposition(s) of expert witness(es) of party(ies) filing opposition to motion(s) for or to deny class certification.	September 23, 2011	October 12, 2011
Last day to file reply papers, if any, in support of motion(s) for or to deny class certification.	October 14, 2011	November 2, 2011
Court hearing on motion(s) for or to deny class certification.	November 4, 2011	November 18, 2011

20 DATED: June 6, 2011

21 Respectfully submitted,

22 By /s/ Elizabeth C. Pritzker

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1 In accordance with General Order 45 of the United States District Court for the Northern
2 District of California, I attest that concurrence in the filing of this document has been obtained from the
3 undersigned counsel.

4 By /s/ Elizabeth C. Pritzker

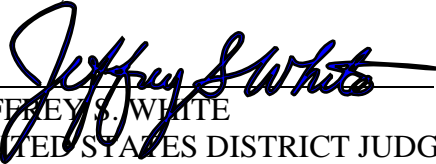
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~~[PROPOSED]~~ ORDER

~~For good cause shown, the Court adopts the modified briefing, class certification related expert discovery and hearing deadlines described in the stipulation above. It is so ORDERED.~~

The Court GRANTS the parties request to modify the briefing schedule, but the Court is unavailable on the requested hearing date. Accordingly, the hearing shall be held on December 9, 2011. The Court also notes that if Defendants intend to move to deny class certification, rather than simply oppose Plaintiffs' motion, the parties are ORDERED to file cross-motions in a four brief format, *i.e.* Plaintiffs to file opening brief, Defendants to file opposition and cross-motion to deny, Plaintiffs to file reply and opposition, and Defendants to file reply. The parties shall meet and confer on this issue sufficiently and shall submit a revised stipulation on the briefing schedule if necessary.

June 7, 2011



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE