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12		
13	UNITED STATES DISTRICT COURT	
14	NORTHERN DISTRICT OF CALIFORNIA	
15	JON W. BAYLESS and GARY J. MORGENTHALER, as Trustees in Dissolution for	Case No. 03:08-CV-01779-JSW
16	WESTWAVE COMMUNICATIONS, INC. a dissolved Delaware corporation,	STIPULATION AND [PROPOSED] ORDER TO AMEND SCHEDULING
17	Plaintiffs,	ORDER
18	vs.	
19	ILLINOIS UNION INSURANCE COMPANY, and DOES 1-10,	
20	Defendants.	
21		-
22	ILLINOIS UNION INSURANCE COMPANY,	
23	Third-Party Plaintiff,	
24	vs.	
25 26	FEDERAL INSURANCE COMPANY,	
26 27	Third-Party Defendant.	
27		
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	STIPULATION AND <del>[PRC</del>	<del>PPOSED]</del> ORDER

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## STIPULATION AND [PROPOSED] ORDER

1	STIPULATION AND <b>TROPOSED</b> ORDER			
2	Defendants/third-party plaintiff Illinois Union Insurance Company ("Illinois Union") and			
3	third-party defendant Federal Insurance Company ("Federal") hereby stipulate and jointly move			
4	this Court for an order amending certain dates in the parties' Joint Case Management Statement,			
5	dated March 5, 2010, which were adopted by Court Order on that same day, as follows:			
6	1. These proposed changes are requested to permit the parties additional time to			
7	complete written discovery and the subsequent orderly depositions of necessary			
8	witnesses. Additionally, the changes will permit the parties additional time to attempt			
9	to resolve this dispute through mediation.			
10	2. The parties have agreed to a revised scheduling order as follows, subject to the			
11	Court's approval:			
12	Proponent's Rule 26(a)(2)(B) Statement : Due September 3, 2010			
13	Rebuttal Rule 26(a)(2)(B) Statement : Due October 4, 2010			
14	Deadline for close of fact discovery : October 22, 2010			
15	Deadline for expert depositions (if any) : November 5, 2010			
16	Dispositive motions : Due December 3, 2010			
17	3. The basis of this stipulation and proposed amendment of the scheduling order is that			
18	the parties have, in good faith, been attempting to complete written discovery and			
19	participate in mediation. However, due to unforeseen circumstances, the mediation			
20	previously scheduled for June 9, 2010 was adjourned. The parties and the mediator			
21	have been diligent in discussions regarding a new date for the mediation and believe			
22	it will conclude by mid-September 2010 at the latest.			
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1	4. For the reasons set forth above, the parties respectfully request that the Court grant		
2	the proposed extended discovery dates.		
3		Respectfully submitted,	
4	Dated: July 14, 2010	Dated: July 14, 2010	
5 6	HOGAN LOVELLS US LLP Attorneys for Federal Insurance Company	<b>HODGSON RUSS LLP</b> Attorneys for Illinois Union Insurance Company	
7	/s	/s	
8 9	Norman J. Blears 525 University Avenue, 4 <sup>th</sup> Floor Palo Alto, CA 94301 Telephone: (650) 463 4000	Kevin D. Szczepanski Brent J. Nowicki The Guaranty Building 140 Pearl Street, Suite 100	
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11		Facsimile: (716) 819-4751 <u>bnowicki@hodgsonruss.com</u>	
12			
13	///		
14	///		
15	///		
16	IT IS SO ORDERED		
17		All Pres	
18	Dated: <u>August 3, 2010</u>	Hon. Affred S. White	
19		Judge of the United States District Court	
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	STIPULATION AND [ <del>PROPOSED]</del> ORDER		