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10 Attorneys for Plaintiff  
 11 VECTREN COMMUNICATIONS SERVICES, INC.

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN FRANCISCO DIVISION

15 VECTREN COMMUNICATIONS SERVICES, )  
 16 INC., an Indiana corporation, )  
 17 )  
 18 ) Plaintiff, )  
 19 )  
 20 ) v. )  
 21 )  
 22 ) CITY OF ALAMEDA, acting by and through )  
 23 ) Alameda Power & Telecom, )  
 24 )  
 25 ) Defendant. )

No. C 08-3137 SI

**STIPULATION AND [PROPOSED]  
 ORDER GRANTING LEAVE TO  
 EXTEND THE DATE FOR FACT  
 DISCOVERY, AND EXTEND THE  
 DATE FOR MEDIATION**

Complaint Filed: June 30, 2008  
 Trial Date: February 8, 2010

26 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

27 WHEREAS, pursuant to the Pre-Trial Preparation Order dated February 19, 2009  
 28 (Dkt. 42), non-expert discovery cut-off was set at July 31, 2009, and mediation was to occur in  
 May 2009;

WHEREAS, pursuant to Order dated March 11, 2009 (Dkt. 47) approved the filing  
 of an Amended and Supplemental Complaint, fact discovery cut-off was extended to August 30,  
 2009 as to new matters set forth in the First Amended and Supplemental Complaint; and

///  
 ///

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1 WHEREAS the parties are diligently involved in the ongoing discovery process,  
2 and believe that extending the mediation date until mid-July 2009<sup>1</sup> and the fact discovery cut-off  
3 as to all matters in the case until August 31, 2009 is in the interests of justice and efficiency.

4 NOW THEREFORE:

5 IT IS THEREBY STIPULATED by and between the parties, subject to the  
6 approval of the Court, that (i) the fact discovery cut-off as to all matters be extended to August 31,  
7 2009, and (ii) mediation occur by mid-July 2009.

8 SO STIPULATED.

9 Dated: May 1, 2009

BARTKO ZANKEL TARRANT & MILLER, a  
Professional Corporation

10 By: /s/Gisu Sadaghiani  
11 Gisu Sadaghiani  
12 Attorneys for Plaintiffs

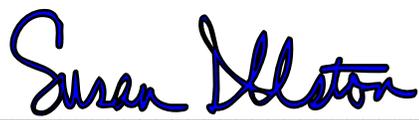
13 Dated: May 1, 2009

WULFSBERG REESE COLVIG & FIRSTMAN

14 By: /s/Gregory R. Aker  
15 Gregory R. Aker  
16 Attorneys for Defendants

17 IT IS SO ORDERED:

18 Dated: \_\_\_\_\_, 2009

19   
20 \_\_\_\_\_  
21 Hon. Susan Illston  
22 United States District Judge

23  
24  
25  
26  
27 \_\_\_\_\_  
28 <sup>1</sup> The parties have selected a mediator and have a July 2009 date for the mediation.

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