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 ALAMEDA PUBLIC FINANCING AUTHORITY, and  
 15 ALAMEDA PUBLIC IMPROVEMENT CORPORATION

16  
 17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**  
 19 **SAN FRANCISCO DIVISION**

20 CITY OF ALAMEDA, CALIFORNIA, on  
 behalf of itself and ALAMEDA POWER &  
 21 TELECOM, a department of the City of  
 Alameda; ALAMEDA PUBLIC FINANCING  
 22 AUTHORITY; and ALAMEDA PUBLIC  
 IMPROVEMENT CORPORATION,

23 Plaintiffs,  
 24 vs.

25 NUVEEN MUNICIPAL HIGH INCOME  
 OPPORTUNITY FUND; THE NUVEEN  
 26 MUNICIPAL TRUST; and NUVEEN ASSET  
 MANAGEMENT, INC.,

27 Defendants.

28 And related actions

Case No. C 08-04575 SI  
 Related Case No. C 09-1437 SI  
 [Complaint filed October 1, 2008]  
 Case assigned to the Honorable Susan Illston  
**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE SETTLEMENT  
 CONFERENCE**

LAW OFFICES  
**WULFSBERG REESE COLVIG & FIRSTMAN**  
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1 WHEREAS when the parties set the settlement conference in this matter for May 28, 2009,  
2 they anticipated that, by late May, discovery would have been open for between three and four  
3 months;

4 WHEREAS it now appears that discovery will not have opened at all by May 28, 2009 and  
5 the pleadings are currently not set;

6 WHEREAS it may be sensible to involve the additional parties who recently filed a closely-  
7 related lawsuit in any settlement conference;

8 WHEREAS the parties to the recently-filed related action will require time to prepare for a  
9 settlement conference;

10 THEREFORE, it is hereby stipulated that the May 28, 2009 settlement conference shall be  
11 continued to a mutually convenient date not later than October 15, 2009. The parties will attempt to  
12 schedule the settlement conference before Magistrate Spero but, to the extent Magistrate Spero's  
13 calendar is not compatible with the calendars of the parties and the October 15, 2009 deadline, the  
14 parties may explore the option of mediating the matter using a private mediator. The parties and the  
15 Court will discuss the settlement conference further at the June 5, 2009 Case Management  
16 Conference.

17 DATED: May 14, 2008

WULFSBERG REESE COLVIG & FIRSTMAN  
PROFESSIONAL CORPORATION

18  
19 By  /s/ Richard E. Elder  
20 RICHARD E. ELDER

21 Attorneys for Plaintiffs and Counterclaim Defendants  
22 CITY OF ALAMEDA, et al.

23 DATED: May 14, 2008

DAVIS & CERIANI, P.C.

24  
25 By  /s/ Michael P. Cillo  
MICHAEL P. CILLO

26 Attorneys for Defendants and Counterclaimants  
27 NUVEEN MUNICIPAL HIGH INCOME  
28 OPPORTUNITY FUND, et al.

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DATED: May 14, 2008

SHARTSIS FRIESE LLP

By           /s/ Robert C. Friese            
ROBERT C. FRIESE

Attorneys for Counterclaim Defendant  
STONE & YOUNGBERG LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.



DATED: \_\_\_\_\_

The Hon. Susan Ilston  
United States District Judge

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