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Attorneys for Defendants and Counter-Claimant  
ZURICH AMERICAN INSURANCE COMPANY  
and STEADFAST INSURANCE COMPANY

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ZURICH INSURANCE COMPANY, ZURICH,  
AMERICAN INSURANCE COMPANY and  
STEADFAST INSURANCE COMPANY,

Defendant.

) No. 08-05005 MMC

)  
)  
) **STIPULATION REGARDING**  
) **LIMITED REOPENING OF**  
) **DISCOVERY TO ALLOW**  
) **DEFENDANTS TO SUBPOENA**  
) **DOCUMENTS FROM UC**  
) **BERKELEY**  
)  
)  
)

1 At a meet and confer discussion held in accordance with the Court's instructions, the  
2 parties have agreed and hereby stipulate as follows:

3 Defendants filed a motion to compel certain depositions arising from the recent  
4 production of a document, after the September 10, 2010 discovery cut-off, by The Presidio Trust.  
5 At plaintiff's request, defendants withdrew the motion to allow for further meet and confer  
6 discussion. Defendants have agreed to withdraw the motion without prejudice until after having  
7 reviewed documents produced pursuant to the subpoenas and further meet and confer as to which  
8 depositions may be appropriate. Accordingly, discovery may be re-opened to permit the  
9 subpoena of documents from U.C. Berkeley, per the three subpoenas issued by defendants'  
10 counsel on September 24, 2010, requesting depositions and production of documents on October  
11 15, 2010. The three subpoenas were directed to U.C. Berkeley, as well as U.C. Berkeley  
12 employees Roger Byrne and Liam Reidy. The documents may be produced forthwith. At  
13 present, it is contemplated that the documents sought by the subpoenas will be produced no later  
14 than October 8, 2010. Based on this meeting today, Plaintiff and Defendants hereby agree that  
15 Defendants shall have until October 15, 2010 to move to compel the depositions as described  
16 above.  
17

18  
19 IT IS SO STIPULATED.

20 Dated: October 7, 2010

MELINDA HAAG  
United States Attorney

21  
22 By: /s/ Jonathan U. Lee  
23 JONATHAN U. LEE  
24 CHARLES M. O'CONNOR  
25 Assistant U.S. Attorneys  
26 COUNSEL FOR PLAINTIFF  
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1 Dated: October 7, 2010

SQUIRE, SANDERS & DEMPSEY LLP

2  
3 /s/ Ethan A. Miller

4 ETHAN A. MILLER  
COUNSEL FOR DEFENDANTS STEADFAST  
INSURANCE COMPANY AND ZURICH  
AMERICAN INSURANCE COMPANY

5  
6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

7 Date: October 8, 2010

8 Elizabeth D. Laporte  
9 Hon. ELIZABETH D. LAPORTE  
UNITED STATES MAGISTRATE JUDGE

10  
11 Stipulation

12 *USA v. Zurich, et al.*, Action 08-05005 MMC  
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