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Attorneys for Plaintiff and the Putative Class

20 UNITED STATES DISTRICT COURT
 21 NORTHERN DISTRICT OF CALIFORNIA
 22 SAN FRANCISCO DIVISION

23 DAPHNE P. RAND, by and through DEBRA
 24 J. DOLCH, as Conservator of the Person and
 25 Estate of DAPHNE P. RAND, Conservatee,
 26 on Behalf of Themselves and All Others
 27 Similarly Situated.

Case No. CV 09 0639 SI

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER MODIFYING THE COURT'S
SCHEDULING ORDER**

Plaintiff,

vs.

28 AMERICAN NATIONAL INSURANCE
 COMPANY, a Texas corporation.

Judge Susan Illston

Defendant.

Action Filed: 02/12/09

29 This stipulation is made between Plaintiff DAPHNE P. RAND, by and through DEBRA J.
 30 DOLCH, as Conservator of the Person and Estate of DAPHNE P. RAND, Conservatee,
 31 (“Plaintiff”) and Defendant American National Insurance Company (“ANICO” or “Defendant”),

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by and through their respective counsel of records, with respect to the following facts:

WHEREAS, the Court’s Civil Pretrial Minute Order dated November 13, 2009 (Docket No. 78) sets forth the current scheduling order.

WHEREAS, the parties stipulated to a one week extension of time for ANICO to respond to the Court’s February 9, 2010 Discovery Order concerning contact information for absent class members.

WHEREAS, the parties are still conducting discovery and believe that the current scheduling order should be modified to allow for completion of discovery, resolution of any discovery disputes and any other matters;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the parties, through their undersigned counsel, that the parties request a revised schedule as follows:

	Current Date	Proposed Date
Hearing on Motion for Class Certification	June 9, 2010	September 1, 2010
Motion due	May 5, 2010	June 24, 2010
Opposition due	May 19, 2010	August 9, 2010
Reply due	May 26, 2010	August 23, 2010

The parties agree to vacate the expert designation and rebuttal expert designation deadlines as well as the expert discovery cut-off. Instead, Plaintiff will designate experts concurrently with the filing of her motion for class certification and Defendant will designate its rebuttal experts concurrently with the filing of its opposition.

DATED: February 19, 2010 BONNETT, FAIRBOURN, FRIEDMAN & BALINT P.C.

By: /s/Andrew S. Friedman
 ANDREW S. FRIEDMAN
 Attorneys for Plaintiff DAPHNE P. RAND, by and
 through DEBRA J. DOLCH, as Conservator of the
 Person and Estate of DAPHNE P. RAND, Conservatee

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DATED: February 19, 2010

WATERS KRAUS & PAUL

By: /s/Ingrid M. Evans
INGRID M. EVANS
Attorneys for Plaintiff DAPHNE P. RAND, by and
through DEBRA J. DOLCH, as Conservator of the
Person and Estate of DAPHNE P. RAND, Conservatee


DATED: February 19, 2010

WILSON ELSER MOSKOWITZ EDELMAN & DICKER

By: /s/Thomas M. Herilhy with permission
THOMAS M. HERILHY
Attorneys for Defendant AMERICAN NATIONAL
INSURANCE COMPANY

IT IS SO ORDERED.

DATED: _____

By 
The Honorable Susan Illston
District Court Judge