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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 TERRA INSURANCE COMPANY )  
13 (A Risk Retention Group), )  
14 Plaintiff, )  
15 v. )  
16 NEW YORK LIFE INVESTMENT )  
17 MANAGEMENT, LLC )  
18 Defendant. )

CASE NO. CV-09-1609 EMC  
**ORDER DENYING STIPULATION**  
~~STIPULATION AND [PROPOSED]~~  
**ORDER EXTENDING TIME TO FILE**  
**MOTIONS TO COMPEL WITH**  
**RESPECT TO FACT DISCOVERY**  
**[Local Rule 6-2]**

19 The Honorable William Alsup  
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Terra Insurance Company v. New York Life Investment Management LLC

Doc. 93

1 **STIPULATION**

2 Fact discovery closed on February 26, 2010, meaning that March 9, 2010 is the deadline  
3 to file motions to compel related to fact discovery. The parties, by and through their counsel of  
4 record, stipulate pursuant to Local Rule 6-2 that the deadline to file any motions to compel with  
5 respect to fact discovery be extended from March 9, 2010 to March 16, 2010.

6 The parties will be exchanging additional discovery responses on March 9, 2010. There are  
7 no current discovery disputes between the parties, however, the agreed upon stipulation allows the  
8 parties to meet and confer in good faith to resolve any disputes without judicial intervention in the  
9 event a dispute arises.

10 This extension of time will not have any effect on any other scheduling deadline in the case.

11 So Stipulated.

12 Dated: March 5, 2010

BARGER & WOLEN LLP

13  
14 By: //s// Travis R. Wall  
15 J. RUSSELL STEDMAN  
16 TRAVIS R. WALL  
17 Attorneys for Defendant  
New York Life Investment  
Management LLC

18 Dated: March 5, 2010

COTCHETT, PITRE & McCARTHY

19  
20 By: //s// Niki Okcu  
21 NIKI OKCU  
22 MARK C. MOLUMPHY  
23 Attorneys for Plaintiff  
Terra Insurance Company

24 **ORDER**

25 ~~The parties, by and through their counsel of record, stipulate pursuant to Local Rule 6-2~~  
26 ~~that the deadline to file any motions to compel with respect to fact discovery be extended from~~  
27 ~~March 9, 2010 to March 16, 2010.~~

28 ~~Satisfactory proof having been shown and good cause appearing.~~

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The parties' request is **DENIED**.

~~PURSUANT TO STIPULATION, IT IS SO ORDERED.~~

Dated: March 8, 2010.

By:

The People  
United States

