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 17 merger to Defendant WACHOVIA BANK, N.A.) and
 Defendant METROPOLITAN WEST SECURITIES LLC

18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

20	STATE COMPENSATION INSURANCE)	CASE NO.: CV 09 02959 JSW (EDL)
21	FUND,)	
)	
22	Plaintiff,)	STIPULATION AND PROPOSED
)	ORDER TO PERMIT LIMITED
23	vs.)	DEPOSITIONS AFTER FACT
)	DISCOVERY CUTOFF
24	METROPOLITAN WEST SECURITIES)	
	LLC, a California limited liability company,;)	
25	WACHOVIA BANK, N.A.; DOES 1 through)	
	10 inclusive; and DOES 11 through 20)	
26	inclusive,)	
)	
27	Defendants.)	
)	

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 STIPULATION AND ~~PROPOSED~~ ORDER PERMITTING LIMITED DEPOSITIONS AFTER
 FACT DISCOVERY CUTOFF – CASE NO.: CV 09-0959 JSW (EDL)

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STIPULATION

Plaintiff State Compensation Insurance Fund (“State Fund”), and Wells Fargo Bank, N.A. (successor by merger to Defendant Wachovia Bank, N.A.) and Defendant Metropolitan West Securities LCC (collectively, “Defendants”) stipulate as follows:

WHEREAS, the Court entered an order on August 22, 2011 (Docket #106), granting the parties’ stipulation to continue case deadlines, such that the schedule is now as follows:

Fact discovery cutoff:	December 2, 2011
Disclosure of experts and reports:	December 16, 2011
Disclosure of rebuttal experts and reports:	January 13, 2012
Expert discovery cutoff:	February 3, 2012
Completion of mediation:	February 28, 2012
Dispositive motion hearing date:	March 16, 2012
Final pretrial conference:	May 21, 2012
Trial:	June 11, 2012

WHEREAS the parties have already taken numerous depositions of current and former employees as well as depositions of third parties;

WHEREAS the parties have agreed to take their respective Rule 30(b)(6) depositions after completion of percipient witness depositions to the extent possible;

WHEREAS due to scheduling constraints and other factors, the parties currently anticipate that some additional fact depositions may need to take place after December 2, 2011;

WHEREAS the parties have agreed, subject to the Court’s approval, to complete any outstanding depositions, including Rule 30(b)(6) depositions, by December 9, 2011, a seven-day extension of the current deadline;

WHEREAS the parties believe that an additional seven days beyond the fact discovery cutoff date to complete the depositions is appropriate and necessary;

WHEREAS the additional seven days to complete depositions will not affect any other case schedule deadline, including but not limited to non-deposition fact discovery or pre-trial and trial deadlines;

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THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES THROUGH THEIR COUNSEL OF RECORD THAT fact depositions may be completed by December 9, 2011.

Dated: November 11, 2011

BARGER & WOLEN LLP

By: //s// J. Russell Stedman
J. RUSSELL STEDMAN
Attorneys for Plaintiff State
Compensation Insurance Fund

Dated: November 11, 2011

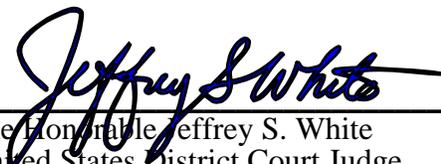
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By: //s// James Rutten
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Attorneys for Wells Fargo Bank, N.A.
(successor by merger to Defendant
Wachovia Bank, N.A.) and Defendant
Metropolitan West Securities LLC

* * * * *

PURSUANT TO STIPULATION, AND GOOD CAUSE HAVING BEEN SHOWN, IT IS SO ORDERED.

DATED: November 14, 2011



The Honorable Jeffrey S. White
United States District Court Judge