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6 Attorneys for WELLS FARGO BANK, N.A.
 7 (successor by merger to Defendant WACHOVIA
 BANK, N.A.) and Defendant METROPOLITAN
 8 WEST SECURITIES LLC

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

STATE COMPENSATION INSURANCE
 FUND,

Plaintiff,

vs.

METROPOLITAN WEST SECURITIES
 LLC; WACHOVIA BANK, N.A.; DOES
 1 through 10, inclusive; and DOES 11
 through 20, inclusive,

Defendants.

CASE NO. CV 09-02959 JSW (EDL)

**STIPULATION AND [~~PROPOSED~~] ORDER
 MODIFYING BRIEFING SCHEDULE ON
 SUMMARY JUDGMENT MOTIONS IN
 LIGHT OF PENDING ADR PROCEDURE**

STIPULATION

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2 On February 24, 2012, the parties filed cross-motions for summary judgment, which
3 motions originally were scheduled to be heard on March 30, 2012. On March 6, 2012, the Court
4 entered an order continuing the hearing on the cross-motions to May 25, 2012 and vacating all
5 other pretrial and trial dates. Based on developments at an intervening mediation, the Court at the
6 request of the parties continued the briefing deadlines for the motions. Oppositions to the cross-
7 motions are now due on March 26, 2012, and replies are due on April 4, 2012. (Dkt. No. 205).

8 The parties attended a mediation before Antonio Piazza, Esq. on March 6, 2012. As a
9 result of the mediation, the parties arranged to resolve their disputes in this lawsuit through an
10 alternative dispute resolution (“ADR”) procedure, subject to Defendants providing assent to such
11 procedure by no later than Friday, March 9, 2012 (later extended to March 14, 2012). Defendants
12 provided their assent to the ADR procedure on March 14, and the parties are in the process of
13 making the ADR arrangements. The parties expect to submit in the near future a stipulation and
14 proposed order to stay the entire lawsuit pending the outcome of the ADR procedure, and once
15 that ADR procedure is concluded, a stipulation to dismiss the lawsuit.

16 In light of the lengthy continuance of the hearing on the cross-motions, and in light of the
17 parties’ expectation that they shortly will submit a stipulation to stay the entire lawsuit pending
18 the outcome of the ADR procedure, the parties mutually desire to conserve their resources by
19 refraining from preparing their papers in opposition to the cross-motions for submission by March
20 26, 2012.

21 NOW THEREFORE, IT IS HEREBY STIPULATED BY AND AMONG THE PARTIES
22 HERETO AND THEIR COUNSEL OF RECORD THAT (1) the parties’ respective papers in
23 opposition to the cross-motions for summary judgment shall be filed no later than April 27, 2012;

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1 and (2) the parties' reply papers in support of the cross-motions for summary judgment shall be
2 filed no later than May 4, 2012.

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Date: March 19, 2012

MUNGER, TOLLES & OLSON LLP

By: /s/ James C. Rutten
James C. Rutten

Attorneys for Defendants WELLS FARGO
BANK, N.A. (successor by merger to
WACHOVIA BANK, N.A.) and
METROPOLITAN WEST SECURITIES LLC

Date: March 19, 2012

BARGER & WOLEN LLP

By: /s/ Travis R. Wall
Travis R. Wall

Attorneys for Plaintiff STATE
COMPENSATION INSURANCE FUND

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PURSUANT TO STIPULATION, IT IS SO ORDERED:

DATED: March 20, 2012



The Honorable Jeffrey S. White
United States District Judge