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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

14 STATE COMPENSATION INSURANCE FUND,)	CASE NO.: CV 09 2959 JSW (EDL)
15)	STIPULATION AND PROPOSED ORDER
16 Plaintiff,)	CONTINUING MEDIATION DEADLINE
17 vs.)	AND CERTAIN CASE MANAGEMENT
18)	DEADLINES
19 METROPOLITAN WEST SECURITIES)	Local Rule 6-2
20 LLC, a California limited liability company;)	
21 WACHOVIA BANK, N.A.; DOES 1 through)	Trial Date: August 22, 2011
22 10 inclusive; and DOES 11 through 20)	
23 inclusive,)	
24)	
25 Defendants.)	
26)	
27)	
28)	

1 Plaintiff State Compensation Insurance Fund (“State Fund”) and Defendants
2 Metropolitan West Securities LLC and Wells Fargo Bank, N.A. (successor by merger to Wachovia
3 Bank N.A.) (collectively, “Wachovia”), through their counsel of record, stipulate as follows:

4 RECITALS

5 1. The Court’s May 3, 2010 order provides the following deadlines:

- | | | |
|----|---|---------------------------|
| 6 | Completion of mediation: | October 29, 2010 |
| 7 | Fact discovery cutoff: | February 4, 2011 |
| 8 | Disclosure of experts and reports: | February 14, 2011 |
| 9 | Disclosure of rebuttal experts and reports: | March 7, 2011 |
| 10 | Expert discovery cutoff: | April 1, 2011 |
| 11 | Dispositive motion hearing date: | June 10, 2011 |
| 12 | Final pretrial conference: | August 1, 2011 (2:00 PM) |
| 13 | Trial: | August 22, 2011 (8:00 AM) |

14 2. The parties conferred and agreed that mediating at this time would not be
15 productive, and that further discovery is necessary to have meaningful settlement discussions.
16 Discovery is on-going, and the parties have exchanged interrogatories, made some electronic and
17 hard copy productions, and are preparing for further productions. However, discovery disputes
18 have arisen, and the parties submitted letters to the Court on September 7, 2010 requesting leave to
19 file cross-motions to compel. On September 9, 2010, the parties’ discovery disputes were referred
20 to Magistrate Judge Elizabeth Laporte, who then set a briefing schedule and hearing on November
21 23, 2010. The parties currently anticipate that most depositions in the case will take place only after
22 the discovery motions are resolved and any further ordered discovery is provided. Accordingly, the
23 parties request a continuance of the mediation deadline and a short continuance of certain of the
24 other case management deadlines. These requested continuances would not affect the dates for the
25 dispositive motion hearing, the pretrial conference or trial.

26 3. This is the parties’ second request for an extension of the mediation deadline and
27 case management deadlines.

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STIPULATION

The parties stipulate to the following revised mediation and case management schedule:

Fact discovery cutoff:	March 18, 2011
Disclosure of experts and reports:	March 25, 2011
Disclosure of rebuttal experts and reports:	April 13, 2011
Expert discovery cutoff:	May 3, 2011
Completion of mediation:	May 31, 2010
Dispositive motion hearing date:	June 10, 2011
Final pretrial conference:	August 1, 2011 (2:00 PM)
Trial:	August 22, 2011 (8:00 AM)

SO STIPULATED:

Dated: October 29, 2010

BARGER & WOLEN LLP

By: //s// J. Russell Stedman
 J. RUSSELL STEDMAN
 TRAVIS R. WALL
 PETER FELSENFELD
 Attorneys for Plaintiff
 State Compensation Insurance Fund

Dated: October 29, 2010

MUNGER, TOLLES & OLSON

By: //s// James Rutten
 MARC DWORSKY
 JAMES RUTTEN
 ERIC TUTTLE
 Attorneys for Defendants
 Metropolitan West Securities LLC and
 Wells Fargo Bank, N.A. (successor by
 merger to Wachovia Bank, N.A.)

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ORDER

The parties, by and through their counsel of record, stipulated to the following ADR and case management schedule:

- Fact discovery cutoff: March 18, 2011
- Disclosure of experts and reports: March 25, 2011
- Disclosure of rebuttal experts and reports: April 13, 2011
- Expert discovery cutoff: May 3, 2011
- Completion of mediation: May 31, 2010
- Dispositive motion hearing date: June 10, 2011
- Final pretrial conference: August 1, 2011 (2:00 PM)
- Trial: August 22, 2011 (8:00 AM)

Satisfactory proof having been shown and good cause appearing,

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: November 1, 2010

By: 
 The Honorable Jeffrey S. White
 United States District Court Judge