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10 Attorneys for Defendant  
 Deutsche Bank Securities Inc.

11 **IN THE UNITED STATES DISTRICT COURT**  
 12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 13 **SAN FRANCISCO DIVISION**

14  
 15 LOUISIANA PACIFIC CORPORATION,  
 16 Plaintiff,

17 vs.

18 MONEY MARKET 1 INSTITUTIONAL  
 INVESTMENT DEALER, MERRILL  
 19 LYNCH & CO., INC., MERRILL  
 LYNCH, PIERCE, FENNER & SMITH  
 20 INCORPORATED, AND DEUTSCHE  
 BANK SECURITIES INC.,

21 Defendants.  
 22

Case No. C 09 03529 JSW  
 Assigned to the Honorable Jeffrey S. White  
 (Courtroom 11)

**STIPULATION AND ~~PROPOSED~~  
 ORDER EXPANDING DEPOSITION  
 AND INTERROGATORY LIMITS**

1 Plaintiff Louisiana Pacific Corporation (“Louisiana Pacific”) and Defendant Deutsche  
2 Bank Securities Inc. (“DBSI”) hereby stipulate, by and through their counsel of record, as  
3 follows:

4 WHEREAS, Kellogg, Huber, Hansen, Todd, Evans & Figel, P.L.L.C. and Saveri &  
5 Saveri, Inc. (“Plaintiff’s Counsel”) represent Louisiana Pacific in this matter and also represent  
6 another plaintiff, The Anschutz Corporation (“Anschutz”), in a separate matter entitled *The*  
7 *Anschutz Corporation v. Merrill Lynch & Co., Inc., et al.*, Case No. 09-3780-SI (the “*Anschutz*  
8 *Case*”), in which Anschutz asserts claims against DBSI that, like the claims in this matter, relate  
9 to Anschutz’s purchases of certain auction rate securities known as Cambers, Pivots and  
10 Capstans;

11 WHEREAS, in its Second Amended Complaint, Louisiana Pacific asserts claims against  
12 Defendants DBSI and Money Market 1 Institutional Investment Dealer (“MM1”) that are related  
13 to Louisiana Pacific’s purchases of certain series of auction rate securities (“ARS”);

14 WHEREAS, Defendant MM1 has filed for and emerged from Chapter 7 bankruptcy  
15 proceedings, and Louisiana Pacific and DBSI understand that Defendant MM1 will not actively  
16 participate in this litigation;

17 WHEREAS, Plaintiff’s Counsel has taken the depositions of five (5) DBSI Witnesses in  
18 depositions that were captioned in both the *Anschutz Case* and this case, and wishes to take  
19 additional depositions in this case;

20 WHEREAS, Plaintiff’s Counsel has propounded twenty-nine (29) numbered written  
21 interrogatories to DBSI in the *Anschutz Case* pursuant to FRCP, Rule 33 – which Plaintiff’s  
22 Counsel and counsel for DBSI have agreed may be deemed propounded by Louisiana Pacific in  
23 this litigation – and wishes to serve further interrogatories upon DBSI in this case;

24 WHEREAS, DBSI served Responses and Objections in the *Anschutz Case* to  
25 Interrogatories Nos. 1 through 23 propounded in that case, which Plaintiff’s Counsel and counsel  
26 for DBSI have agreed shall be deemed DBSI’s objections and responses in this litigation;

27 WHEREAS, to fully discover the facts surrounding Louisiana Pacific’s allegations and  
28 DBSI’s defenses in this case, Louisiana Pacific believes that it must conduct more than the ten

1 depositions and must serve more than the 25 interrogatories permitted by FRCP, Rule 30;

2 WHEREAS, to fully discover the facts surrounding Louisiana Pacific's allegations and  
3 DBSI's defenses in this case, DBSI believes that it must conduct more than the ten depositions  
4 and must serve more than the 25 interrogatories permitted by FRCP, Rule 30;

5 WHEREAS, Plaintiff's Counsel and counsel for DBSI have met and conferred and agree  
6 that:

- 7 1. Louisiana Pacific may take 20 depositions (including the five depositions already  
8 taken in both the *Anschutz* Case and this case), and may serve upon DBSI a total of  
9 35 interrogatories (including the twenty-nine interrogatories already served in the  
10 *Anschutz* Case); and
- 11 2. DBSI may take 20 depositions and may serve upon Louisiana Pacific a total of 35  
12 interrogatories.

13 IT IS HEREBY STIPULATED THAT:

- 14 1. Louisiana Pacific may take 20 depositions (including the five depositions already  
15 taken in both the *Anschutz* Case and this case);
- 16 2. DBSI may take 20 depositions;
- 17 3. Louisiana Pacific may serve a total of 35 interrogatories upon DBSI (including the  
18 twenty-nine interrogatories already served in the *Anschutz* Case); and
- 19 4. DBSI may serve a total of 35 interrogatories upon Louisiana Pacific.

20  
21 Dated: July 11, 2012

/s/ Andrew M. Hetherington  
Attorney for Plaintiff  
*Louisiana Pacific Corporation*

22  
23 Dated: July 11, 2012

/s/ Christian J. Mixer  
Attorney for Defendant  
*Deutsche Bank Securities Inc.*

24  
25 **IT IS SO ORDERED.**

26  
27 Dated: July 12, 2012

  
Honorable Jeffrey S. White  
United States District Court Judge