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17 **IN THE UNITED STATES DISTRICT COURT**

18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 THE ANSCHUTZ CORPORATION,

20 Plaintiff,

21 v.

22 MERRILL LYNCH & CO., INC.;
 MERRILL LYNCH, PIERCE,
 23 FENNER & SMITH INCORPORATED;
 DEUTSCHE BANK SECURITIES INC.;
 24 MOODY'S INVESTORS SERVICE,
 INC.; THE MCGRAW-HILL
 25 COMPANIES, INC.; FITCH, INC.;
 AND FITCH RATINGS, LTD.,

26 Defendants.
 27

Case No. C 09-3780-SI

**JOINT REQUEST FOR A
 CONTINUANCE OF THE CASE
 MANAGEMENT CONFERENCE**

Date: December 14, 2010

Time: 3:00 P.M.

Crtn: 10

Judge: Hon. Susan Illston

1 The parties jointly submit this Request for a Continuance of the Case Management
2 Conference (the "CMC"), currently scheduled for December 14, 2010, to February 4, 2011.
3 During the October 26, 2010 hearing on Defendants' Motion to Dismiss, the Court scheduled
4 December 14, 2010 as the default date for the CMC, provided that the Court had issued a ruling
5 on the Motions in advance of that date. As the Court knows, all discovery in this case has been
6 stayed pending this Court's rulings on Defendants' Motions to Dismiss. In the Joint Case
7 Management Statement filed on October 19, 2010 (DN 198), the parties agreed to meet and
8 confer within 10 business days of the Court's rulings on Defendants' Motions to Dismiss, at
9 which time the parties will engage in further discussions concerning the disclosures required by
10 Fed. R. Civ. P. 26(a)(1), any modifications to limits on the number of interrogatories and
11 depositions, and the development of a discovery plan in accordance with Fed. R. Civ. P.
12 26(f)(2)-(f)(3), including disclosure or discovery of electronically-stored information. In order
13 to allow sufficient time for these meet and confer discussions prior to the CMC and to promote
14 judicial efficiency and economy, the parties respectfully request that the CMC be continued
15 until February 4, 2011 or until such time as the Court deems proper.

16 Dated: December 7, 2010

/s/ Kevin J. Miller
Attorney for Plaintiff
The Anschutz Corporation

19 Dated: December 7, 2010

/s/ David T. Biderman
Attorney for Defendant
The McGraw-Hill Companies, Inc.

22 Dated: December 7, 2010

/s/ Jonathan A. Patchen
Attorney for Defendants
Fitch, Inc. and Fitch Ratings, Ltd.

24 Dated: December 7, 2010

/s/ Elizabeth A. Frohlich
Attorney for Defendant
Deutsche Bank Securities Inc.

26 The case management conference has been continued to 2/4/11 at 3 p.m.
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GENERAL ORDER 45 CERTIFICATION

I, Jonathan A. Patchen, hereby attest pursuant to Northern District of California General Order No. 45 that the concurrence to the filing of this document has been obtained from each signatory hereto.

DATED: December 7, 2010

BY: /s/ Jonathan A. Patchen