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13 *Attorneys for Plaintiff The Anschutz Corporation*

14 **IN THE UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 THE ANSCHUTZ CORPORATION,
 18
 19 Plaintiff,

20 v.

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

25 Defendants.

Case No. C 09-3780-SI

**STIPULATION AND [~~PROPOSED~~]
 ORDER RESCHEDULING CASE
 MANAGEMENT CONFERENCE**

Date: September 2, 2011
 Time: 3:00 p.m.
 Ctrm: 10
 Judge: Hon. Susan Illston

DEMAND FOR JURY TRIAL

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28 STIPULATION AND [PROPOSED] ORDER RESCHEDULING CASE MANAGEMENT
CONFERENCE; Case No. C 09-3780-SI

1 WHEREAS, on June 10, 2011, this Court issued an Order setting a Case Management
2 Conference (“CMC”) for September 2, 2011 at 3:00 p.m.; and

3 WHEREAS, counsel for Plaintiff has a scheduling conflict with the September 2, 2011
4 date; and

5 WHEREAS, the parties are in the process of meeting and conferring about several
6 outstanding discovery issues, and a continuance until September 16, 2011 will give the parties
7 further time to try to narrow those issues and provide this Court an opportunity to consider prior
8 to the CMC any statements the parties file regarding remaining unresolved discovery issues; and

9 WHEREAS, Plaintiff has conferred with Defendants and all parties have agreed to
10 reschedule the CMC to September 16, 2011 at 2:30 p.m.;

11 IT IS THEREFORE STIPULATED AND AGREED, by all parties, acting through their
12 respective counsel, subject to this Court’s approval, that the CMC shall be rescheduled for
13 September 16, 2011 at 2:30 p.m.

14
15 PURSUANT TO STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED.

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17 Dated: 8/30, 2011

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Hon. Susan Illston
22 United States District Judge

1 Dated: August 26, 2011

Respectfully submitted,

2 By: /s/ Kevin J. Miller

3 Mark C. Hansen
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GENERAL ORDER 45 CERTIFICATION

I, Kevin J. Miller, hereby attest pursuant to N.D. Cal. General Order 45 that the concurrence to the filing of this document has been obtained from each signatory hereto.

Dated: August 26, 2011

KELLOGG, HUBER, HANSEN, TODD,
EVANS & FIGEL, P.L.L.C.

By: /s/ Kevin J. Miller

Kevin J. Miller
Attorney for The Anschutz Corporation