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DEVELOPMENT, LTD., REDWOOD CAPITAL
ADVISORS, LLC, and Defendants STEPHEN GOODMAN,
and S. DICK SARGON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

1 (1) VIESTE, LLC, an Indiana corporation;
2 and
3 (2) VIESTE DEVELOPMENT, LLC; an
4 Indiana corporation,

5 Plaintiffs,

6 vs.

No. C09-04024 JSW (DMR)

7 (1) HILL REDWOOD
8 DEVELOPMENT, LTD., a British Virgin
9 Islands corporation;
10 (2) HILL INTERNATIONAL, INC., a
11 Delaware corporation;
12 (3) HILL INTERNATIONAL
13 DEVELOPMENT LTD., A British Virgin
14 Islands corporation;
15 (4) REDWOOD CAPITAL ADVISORS,
16 LLC, a Delaware corporation;
17 (5) STEPHEN GOODMAN,
18 individually; and
19 (6) S. DICK SARGON, individually;

20 Defendants.

21 AND RELATED CROSS-CLAIMS.

**STIPULATION AND ~~PROPOSED~~
ORDER SETTING DATES FOR PRE-
TRIAL SUBMISSIONS**

22 For good cause as detailed below, subject to the Court’s approval, and to aid in the
23 efficient preparation of the pretrial filings required by this Court’s Standing Order for Final Pretrial
24 Conference in Civil Jury Cases, the undersigned parties hereby stipulate and agree to the following
25 schedule for exchanging the required pre-trial submissions. By and through this Administrative
26 Motion, the parties ask the Court to enter an order setting the following deadlines.

THE PARTIES STIPULATE AS FOLLOWS:

27 1. On December 28, 2011, the parties will exchange (1) exhibit lists, including
28 excerpts of interrogatory responses and requests for admissions; (2) deposition designations for
testimony to be offered in their case-in-chief; (3) and proposed jury instructions.

1 2. On January 4, 2012, the parties will exchange (1) a description of the substance of
2 the claims and defenses; (2) the statement of relief sought; (3) objections to the others' proposed
3 exhibit list; and (4) an identification of disputed jury instructions.

4 3. On January 6, 2012, the parties will exchange (1) lists of witnesses expected to
5 appear at trial; (2) objections to deposition designations; (3) counter designations to deposition
6 designations; (4) a statement of issues before the court; (5) a simplified one-page statement of the
7 case to be used during voir dire and jury instructions; (6) proposed voir dire questions; and (7)
8 special verdict forms.

9 4. No later than January 9, 2012, the parties shall meet and confer regarding disputed
10 jury instructions.

11 5. On January 10, 2012, the parties will exchange (1) proposed stipulated facts; (2) a
12 list of factual issues that remain to be tried; (3) responses to the objections to the proposed exhibit
13 lists; and (4) responses to objections to deposition designations.

14 6. On January 12, 2012, the parties shall exchange (1) objections to counter-
15 designations of depositions; and (2) motions in support of disputed jury instructions.

16 7. No later than January 13, 2012, the parties shall meet and confer, in person,
17 regarding the proposed (1) description of the substance of the claims and defenses; (2) the statement
18 of relief sought; (3) stipulated facts; (4) the exhibit list; (5) deposition designations and counter-
19 designations; (6) the statement of issues before the court; (7) the simplified one-page statement of
20 the case to be used during voir dire and jury instructions; (8) voir dire questions; and (9) the special
21 verdict form.

22 8. On January 13, 2012, the parties shall exchange motions in limine.

23 9. On January 20, 2012, the parties shall exchange (1) briefs in opposition to disputed
24 jury instructions; and (2) briefs in opposition to motions in limine.

25 10. The parties agree and stipulate to treat the deadlines listed above as filing deadlines.
26 Thus, the parties ask the Court to enter this stipulation as part of the Scheduling Order in this case.

1 No amendments or changes to any submission shall be allowed except by written mutual consent of
2 the parties or by order of the Court.

3 11. No other changes to the Court's Scheduling Order are sought.
4

5 **IT IS SO STIPULATED**

6 DATED: December 21, 2011.
7

8 Respectfully submitted,

9 /s/ Patricia L. Peden

10 PATRICIA L. PEDEN
11 LAW OFFICE OF PATRICIA L. PEDEN
12 Attorneys for Plaintiffs and Counter-
13 Defendants and Compulsory-counterclaim
14 Plaintiffs
15 VIESTE, LLC and VIESTE
16 DEVELOPMENT, LLC

17 /s/ Fulton M. Smith II

18 DANIEL J. CRAWFORD
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27 HILL INTERNATIONAL, INC., HILL
28 INTERNATIONAL DEVELOPMENT,
LTD., REDWOOD CAPITAL ADVISORS,
LLC, and Defendants STEPHEN
GOODMAN, AND S. DICK SARGON and
compulsory counterclaims defendants.

~~PROPOSED~~ ORDER

Good cause appearing for the stipulated relief requested above, the Court hereby orders:

The parties have entered into a stipulation setting deadlines for the exchange of pretrial submissions, and having been requested by the parties to include the stipulated dates as part of the Court's Scheduling Order, the Court hereby sets the following dates for the exchange of pre-trial submissions:

1. On December 28, 2011 the parties will exchange (1) exhibit lists, including excerpts of interrogatory responses and requests for admissions; (2) deposition designations for testimony to be offered in their case-in-chief; and (3) proposed jury instructions.

2. On January 4, 2012, the parties will exchange (1) a description of the substance of the claims and defenses; (2) the statement of relief sought; (3) objections to the others' proposed exhibit list; and (4) an identification of disputed jury instructions.

3. On January 6, 2012, the parties will exchange (1) lists of witnesses expected to appear at trial; (2) objections to deposition designations; (3) counter designations to deposition designations; (4) a statement of issues before the court; (5) a simplified one-page statement of the case to be used during voir dire and jury instructions; (6) proposed voir dire questions; and (7) special verdict forms.

4. No later than January 9, 2012, the parties shall meet and confer regarding disputed jury instructions.

5. On January 10, 2012, the parties will exchange (1) proposed stipulated facts; (2) a list of factual issues that remain to be tried; (3) responses to the objections to the proposed exhibit lists; and (4) responses to objections to deposition designations.

6. On January 12, 2012, the parties shall exchange (1) objections to counter-designations of depositions; and (2) motions in support of disputed jury instructions.

7. No later than January 13, 2012, the parties shall meet and confer, in person, regarding the proposed (1) description of the substance of the claims and defenses; (2) the statement of relief sought; (3) stipulated facts; (4) the exhibit list; (5) deposition designations and counter-

1 designations; (6) the statement of issues before the court; (7) the simplified one-page statement of
2 the case to be used during voir dire and jury instructions; (8) voir dire questions; and (9) the special
3 verdict form.

4 8. On January 13, 2012, the parties shall exchange motions in limine.

5 9. On January 20, 2012, the parties shall exchange (1) briefs in opposition to disputed
6 jury instructions; and (2) briefs in opposition to motions in limine.

7 10. No amendments or changes to any submission shall be allowed except by written
8 mutual consent of the parties or by order of the Court.

9 11. There are no other changes to the Court's Scheduling Order
10 **The Court appreciates the parties' ability to cooperate on this schedule.**

11 IT IS SO ORDERED.

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13 Dated: December 22, 2011

14 
15 Hon. Jeffrey S. White
16 United States District Court Judge
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