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 Bank of America, National Association
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 RICHARD G. WHITEHURST and LORRAINE
 D. WHITEHURST, as individuals and as trustees
 12 of the Whitehurst Family Trust,

13 Plaintiffs,

14 vs.

15 BANK OF AMERICA, NATIONAL
 ASSOCIATION, a national banking corporation;
 16 CHARLOTTE A. HEINL, as an individual dba
 Norge Cleaners; and DOES 1 through 100,
 17

18 Defendants.

19 BANK OF AMERICA, NATIONAL
 ASSOCIATION, a national banking corporation,
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21 Counterclaimant,

22 vs.

23 RICHARD G. WHITEHURST and LORRAINE
 D. WHITEHURST, as individuals and as trustees
 of the Whitehurst Family Trust; and ROES 1
 through 100,
 24

25 Counterdefendants.

No.: C 09-04808 MEJ

**STIPULATION AND ~~PROPOSED~~
 ORDER SETTING REVISED CASE
 MANAGEMENT ORDER**

REED SMITH LLP
 A limited liability partnership formed in the State of Delaware

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1 BANK OF AMERICA, NATIONAL
 ASSOCIATION, a national banking corporation,
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 3 Crossclaimant,
 4 vs.
 5 CHARLOTTE A. HEINL; and ZOES 1 through
 100,
 6 Crossdefendants.

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 8 Because further environmental investigation of Plaintiffs' property and the site is necessary
 9 in order to determine the extent and costs of environmental clean-up at the site, for which the parties
 10 continue to identify funding sources, including insurance coverage, and due to the fact that the
 11 investigatory work will require approximately 90 days once the work commences, following which
 12 the parties will need one to two months to assess the results and conduct settlement talks, Plaintiffs
 13 Richard G. Whitehurst and Lorraine D. Whitehurst, as individuals and as trustees of the Whitehurst
 14 Family Trust, and Defendants Bank of America, National Association and Charlotte A. Heidl, as an
 15 individual and doing business as Norge Cleaners, stipulate to amending the Court's August 14, 2012
 16 Order Granting Stipulation and Order Setting Revised Case Management Order (attached as Exhibit
 17 A) as follows, and respectfully request that the Court approve the same:

Event	Operative CMO (8/14/2012)	Proposed Deadlines
Disclosure of Expert Witnesses	4/5/2013	9/3/2013
Rebuttal Expert Witnesses	4/26/2013	9/23/2013
Close of Discovery	5/31/2013	10/28/2013
File, Serve, and Notice Dispositive Motions	6/21/2013	11/18/2013
Last Day for Hearing on Dispositive Motions	8/1/2013	1/9/2014
Meet and Confer and Exchange Trial Papers	9/6/2013	2/3/2014
File papers (per FRCP 26(a)(3) and joint pretrial conference statement	9/20/2013	2/17/2014
Motions in limine – filed	9/20/2013	2/17/2014
Motions in limine – oppositions	9/27/2013	2/24/2014
File Trial Briefs	10/4/2013	3/3/2014

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File Joint Proposed and Disputed Voir Dire Questions	10/4/2013	3/3/2014	
File Joint set of additional proposed jury instructions	10/4/2013	3/3/2014	
Proposed Verdict forms	10/4/2013	3/3/2014	
Pretrial Conference	10/10/2013	3/6/2014	
Final Pretrial Conference	10/31/2013	3/20/2014	3/27/2013
Trial Date	11/4/2013	3/24/2014	3/31/2013

WHEREFORE, Plaintiffs and Defendants stipulate to and respectfully request that this Court amend the existing Case Management Order to incorporate the dates proposed above, while all other facets of the Court’s existing Case Management Order shall remain in effect. (A revised Case Management Order is attached as Exhibit B.)

Dated: January 8, 2013.

PALADIN LAW GROUP

By: /s/ John R. Till
John R. Till
Bret A. Stone
Brian R. Paget
Attorneys for Plaintiffs/Counter Defendants
Richard and Lorraine Whitehurst

Dated: January 8, 2013.

WOOD, SMITH, HENNING, BERMAN LLP

By: /s/ David F. Wood
David F. Wood
Matthew O. Kovacs
Attorneys for Plaintiffs/Counter Defendants
Richard and Lorraine Whitehurst

Dated: January 8, 2013.

REED SMITH LLP

By: /s/ Todd. O. Maiden
Todd O. Maiden
Phillip H. Babich
Attorneys for Defendant/Crossclaimant
Bank of America, National Association

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PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that this Court amends the existing Case Management Order to incorporate the dates proposed above, while all other facets of the Court’s existing Case Management Order shall remain in effect.

IT IS SO ORDERED:

DATED: January 9, 2013



Honorable Maria-Elena James
UNITED STATES CHIEF MAGISTRATE