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8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11 SILGAN CONTAINERS LLC, successor to )  
 Silgan Containers Corporation, )

12 Plaintiff, )

13 vs. )

14 NATIONAL UNION FIRE INSURANCE )  
 15 COMPANY OF PITTSBURGH, PA and )  
 16 LIBERTY MUTUAL FIRE INSURANCE )  
 COMPANY )

17 Defendants. )  
 18

**Case No.: C 09-05971 RS**  
**[PROPOSED] ORDER MODIFYING CASE**  
**MANAGEMENT ORDER AS MODIFIED**  
**BY THE COURT**  
 Hon. Richard Seeborg

Civil Local Rule 7-11

19 Upon consideration of the administrative motion of Defendant Liberty Mutual Fire  
 20 Insurance Company to modify the May 20, 2010 Case Management Order, and for Good Cause  
 21 Shown, the May 20, 2010 Case Management Order is hereby modified as follows:

22 1. On or before November 9, 2010 (formerly August 11, 2010), all non-expert  
 23 discovery shall be completed by the parties.

24 2. EXPERT WITNESSES. The disclosure and discovery of expert witness opinions  
 25 shall proceed as follows:

26 A. On or before November 23, 2010 (formerly August 25, 2010), plaintiff  
 27 shall disclose expert testimony and reports in accordance with Federal Rule of Civil Procedure  
 28 26(a) (2).

1 B. On or before December 21, 2010 (formerly September 22, 2010),  
2 defendants shall disclose expert testimony and reports in accordance with Federal Rule of Civil  
3 Procedure 26(a) (2).

4 C. On or before January 11, 2011 (formerly October 13, 2010), all discovery  
5 of expert witnesses pursuant to Federal Rule of Civil Procedure 26(b) (4) shall be completed.

6 3. CROSS-MOTIONS FOR SUMMARY JUDGMENT. Cross-motions for  
7 summary judgment, if any, shall be heard in accordance with Civil Local Rule 7 no later than  
8 March 2, 2011(formerly December 2, 2010).

9 4. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case  
10 Management Conference shall be held on <sup>14</sup>April ~~13~~, 2011 (formerly **January 13, 2011**) at 10:00  
11 a.m. in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San  
12 Francisco, California. The parties shall submit a Joint Case Management Statement at least one  
13 week prior to the Conference.

14 5. PRETRIAL STATEMENTS. At a time convenient to all, counsel shall meet and  
15 confer to discuss preparation of a joint pretrial statement, and on or before July 27,  
16 2011(formerly April 28, 2011), counsel shall file a Joint Pretrial Statement.

17 6. PRETRIAL CONFERENCE. The final pretrial conference will be held on  
18 <sup>11</sup>August ~~10~~, 2011 (formerly **May 12,2011**), at 10:00 a.m., in Courtroom 3, 17th Floor, United  
19 States Courthouse, 450 Golden Gate Avenue, San Francisco, California. Each party or lead  
20 counsel who will try the case shall attend personally.

21 7. TRIAL DATE. Jury trial shall commence on **August 22, 2011** (formerly **May 23,**  
22 **2011**), at 9:00 a.m., in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate  
23 Avenue, San Francisco, California.

24 IT IS SO ORDERED.

25  
26 DATED: 7/19/10



HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE