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15 Attorneys for Plaintiff and Counter-Defendant
 16 LIBERTY MUTUAL INSURANCE COMPANY

17 UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 19 SAN FRANCISCO DIVISION

20 LIBERTY MUTUAL INSURANCE)
 21 COMPANY, a Massachusetts Corporation,)
 22)
 23 Plaintiff,)
 24)
 25 v.)
 26)
 27 THE CALIFORNIA AUTOMOBILE)
 28 ASSIGNED RISK PLAN, a program)
 established under California Insurance Code)
 section 11620 et seq., and DOES 1 through 20,)
 inclusive,)
)
 Defendants.)

CASE NO.: 3:11-CV-01419-MMC

**STIPULATION AND
 [PROPOSED] ORDER
 MODIFYING THE CASE SCHEDULE**

Judge: Hon. Maxine M. Chesney
 Dept: Courtroom 7, 19th Floor

Complaint Filed: March 24, 2011

29 THE CALIFORNIA AUTOMOBILE)
 30 ASSIGNED RISK PLAN,)
 31)
 32 Counter-Claimant,)
 33)
 34 v.)
 35)
 36 LIBERTY MUTUAL INSURANCE)
 37 COMPANY, a Massachusetts Corporation,)
 38)
 Counter-Defendant.)

1 **STIPULATION AND [PROPOSED] ORDER MODIFYING THE CASE SCHEDULE**

2 Pursuant to Civil Local Rules 6-2, 7-12 and 40-1, Plaintiff/Counter-Defendant Liberty
3 Mutual Insurance Company ("Liberty Mutual") and Defendant/Counter-Claimant The California
4 Automobile Assigned Risk Plan ("CAARP") respectfully submit this Stipulation And Proposed
5 Order To Extend The Schedule.

6 WHEREAS, Liberty Mutual filed its Complaint on March 24, 2011 (Docket No. 1);
7 CAARP filed its answer and counterclaims on May 20, 2011 (Docket No. 11); and Liberty Mutual
8 filed its answer to CAARP's counterclaims on June 10, 2011 (Docket No. 13);

9 WHEREAS, on July 8, 2011, the Court, following a Case Management Conference, made a
10 Minute Entry (Docket No. 19), and on July 14, 2011, the Court entered a Pretrial Preparation Order
11 (Docket No. 22), which incorporated the deadlines set in the Court's Minute Entry;

12 WHEREAS, the Parties have exchanged document productions and are in the initial phases
13 of scheduling depositions, and the Parties have concluded that they cannot complete depositions in
14 this case prior to the current non-expert discovery cutoff date of March 16, 2012;

15 WHEREAS, counsel for Liberty Mutual and CAARP have conferred and agreed upon
16 modifications to the Pretrial Preparation Order, subject to Court approval, that would enable them
17 to complete fact discovery in this action;

18 WHEREAS, there have been no prior time modifications in this case relating to the any of
19 the events in the Court's Minute Entry on July 8, 2011 and the Pretrial Preparation Order;

20 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the undersigned as
21 follows:

- 22 1. The dates set in the Pretrial Preparation Order are modified as follows:
- 23 a. JURY TRIAL DATE: Monday, February 4, 2013 at 9:00 a.m., Courtroom 7,
24 19th floor.
- 25 b. NON-EXPERT DISCOVERY CUTOFF: May 25, 2012.
- 26 c. DESIGNATION OF EXPERTS:
- 27 Plaintiff/Defendant: No later than June 22, 2012.
28 Plaintiff/Defendant: Rebuttal no later than July 6, 2012.
 (With objections by September 7, 2012.)

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- d. EXPERT DISCOVERY CUTOFF: August 9, 2012.
- e. DISPOSITIVE MOTIONS shall be filed no later than September 7, 2012, and shall be noticed for hearing 35 days thereafter.
- f. MEET AND CONFER (Civil L.R. 16-10(b)(5)): Lead trial counsel shall meet and confer no later than November 5, 2012.
- g. PRETRIAL CONFERENCE DATE: December 11, 2012 at 3:00 p.m.
- h. FURTHER STATUS CONFERENCE: Friday, October 19, 2012 at 10:30 a.m.
- i. FURTHER STATUS CONFERENCE STATEMENT DUE: Friday, October 12, 2012.

2. The dates previously set for the above events are hereby vacated. All other dates set forth in the Court's Minute Entry on July 8, 2011 and the Pretrial Preparation Order entered on July 14, 2011 shall remain unchanged.

3. This stipulation and proposed order is without prejudice to either party seeking a further adjustment to the schedule.

DATED: February 16, 2012

SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP

By: _____
 /s/ James R. Carroll
 JAMES R. CARROLL
 Attorney for Plaintiff/Counter-Defendant
 LIBERTY MUTUAL INSURANCE COMPANY

DATED: February 16, 2012

FARELLA, BRAUN & MARTEL LLP

By: _____
 /s/ Carly O. Alameda
 CARLY O. ALAMEDA
 Attorney for Defendant/Counter-Claimant THE
 CALIFORNIA AUTOMOBILE ASSIGNED RISK PLAN

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, James R. Carroll, am the ECF User whose ID and password are being used to file this Stipulation And Proposed Order. In compliance with General Order 45.X.B, I hereby attest that the concurrence in the filing of this document has been obtained from each of the signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 16th day of February 2012, at Boston, Massachusetts.

By: _____
/s/ James R. Carroll
JAMES R. CARROLL

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATED: February 21, 2012

By: _____

Hon. Maxine M. Chesney