

1 AWS ACQUISITIONS, LLC, by and)
 through MARY CHANDLER PETTY, a)
 2 Partner Other than the Tax Matters)
 Partner,)
 3)
 Plaintiff,)
 4 v.)
 5 UNITED STATES OF AMERICA, by and)
 through its Agent, the INTERNAL)
 6 REVENUE SERVICE,)
 7 Defendant.)
 _____)
 8

9 This stipulation is entered into by and between the plaintiffs and the defendant
 10 and is based on the following facts:

11 1. Plaintiffs have submitted a written settlement offer to defendant offering to
 12 settle all issues in this action. The Department of Justice, in concert with the Internal
 13 Revenue Service, is in the process of evaluating that settlement offer under its normal
 14 procedures.

15 2. On February 2, 2009, the parties filed a stipulation (Document 49):
 16 (i) notifying this Court that the parties were continuing to work towards settlement; and
 17 (ii) requesting that this Court continue discovery and trial deadlines to avoid the
 18 substantial expenditure of resources and effort attendant to defendant's intended course
 19 of discovery and to allow time for the Department of Justice to complete its evaluation of
 20 plaintiffs' offer and to finalize any settlement.

21 2. On February 4, 2009, this Court issued an order (Document 50) approving
 22 the stipulation to continue discovery and trial deadlines, and set the following revised
 23 calendar in this action:

- 24 Completion of Fact Discovery: June 15, 2009
- 25 Mandatory Settlement Conference on: July 17, 2009
- 26 Completion of Expert Discovery: October 16, 2009
- 27 Case-dispositive motions to be heard at 2:00 P.M. on: December 17, 2009
- 28 The pre-trial exchange between the parties will occur by: March 17, 2010

1 A pre-trial conference will be held on: April 20, 2010

2 A four-day Court Trial will begin at 8:30 A.M. on: May 10, 2010

3 3. Notice from the Court's Clerk (Document 51) set the Mandatory
4 Settlement Conference on June 23, 2009;

5 4. All parties continue to believe that settlement is likely and continue to work
6 diligently toward a final action by the Department of Justice on plaintiffs' offer to settle all
7 issues in this case. Settlement efforts are continuing and there has been no breakdown
8 of communications and no impasse has arisen.

9 6. The parties appreciate the Court's patience as the parties work to finalize
10 the settlement. The parties believe that requiring the parties to prepare for trial would
11 be counterproductive to reaching a settlement in this action.

12 7. Based on the facts presented, the plaintiffs and the defendant request an
13 extension of an additional four months for each of the existing deadlines.

14 Respectfully Submitted,

15 FOR THE PLAINTIFFS

16 LGI LLP
17 Bradley A. Patterson, Esq.

18 Date: June 4, 2009

19 By s/Bradley A. Patterson
Bradley A. Patterson
Attorney for Plaintiffs

20 FOR THE UNITED STATES

21 UNITED STATES ATTORNEY
22 Joseph P. Russoniello, Esq.
23 Thomas Moore, Esq.
24 Cynthia Stier, Esq.
Robert J. Higgins, Esq.
Bart D. Jeffress, Esq.

25 Date: June 4, 2009

26 By s/Robert J. Higgins
Robert J. Higgins
27 Attorneys for Defendant
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ORDER

Based on the facts and stipulation set forth above,

IT IS ORDERED:

1. Fact Discovery shall be completed on or before: October 15, 2009;
2. A Mandatory Settlement Conference shall be conducted before a Magistrate Judge no later than November 17, 2009, at the convenience of the Magistrate Judge's calendar;
3. Expert Discovery shall be completed on or before: February 16, 2010;
4. All case-dispositive motions and a further case management conference shall be heard at 2:00 P.M. on April 8, 2010;
5. The pre-trial exchange between the parties shall occur in accordance with the Court's Order for Pretrial Preparation.
6. A pre-trial conference will be held on: October 26, 2010, at 2:00 P.M.; and
7. A four-day Court Trial will begin at 8:30 A.M. on: November 15, 2010.

6/10
Date: _____, 2009



The Honorable Claudia Wilken
United States District Court Judge