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8 Attorneys for Defendants
 9 MAXXAM Inc. and Charles E. Hurwitz

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA *ex rel.*
 14 RICHARD WILSON and CHRIS
 MARANTO,

15 Plaintiff,

16 vs.

17 MAXXAM INC., a Delaware Corporation,
 and CHARLES E. HURWITZ, et al.,

18 Defendants.

CASE NO.: CV-06-7497 CW (JCS)

**STIPULATION AND [PROPOSED]
 ORDER RESCHEDULING HEARING
 ON WILLIAM G. BERTAIN'S
 MOTION TO MODIFY
 STIPULATION AND PROTECTIVE
 ORDER GOVERNING
 CONFIDENTIALITY FILED 9/3/08,
 OR ALTERNATIVELY ORDER
 OTHER RELIEF HEREIN**

Date: January 29, 2010
 Time: 1:30 p.m.
 Place: Courtroom A, 15th Floor

Judge: Honorable Joseph C. Spero

22
 23 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

24 IT IS HEREBY STIPULATED by and between the parties and their respective counsel of
 25 record, William G. Bertain, attorney for relators Richard Wilson and Chris Maranto on behalf of
 26 Plaintiff United States of America (collectively, "Plaintiffs"), and Natalie Thingelstad, attorney
 27 for Defendants MAXXAM Inc. and Charles Hurwitz (collectively, "Defendants"), that:

28 STIPULATION AND [PROPOSED ORDER] RESCHEDULING HEARING ON MOTION TO MODIFY
 CASE No. CV 06-7497 CW (JCS)

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WHEREAS, the hearing on this matter was originally set for January 22, 2010; and

WHEREAS, following the completion of briefing, the Court rescheduled the hearing on this matter to January 29, 2010; and

WHEREAS, counsel for Defendants, Andrew D. Muhlbach and Natalie Thingelstad are both unavailable on January 29, 2010, to attend the hearing as rescheduled;

NOW THEREFORE, Mr. Bertain and counsel for the Defendants hereby stipulate to reschedule the hearing on the Motion to Modify set for January 29, 2010, to February 12, 2010, at 1:30, or at the Court's first convenient time thereafter, to accommodate Defense counsels' unavailability.

The parties respectfully request that the Court approve this Stipulation.

Dated: January 22, 2010

LAW OFFICE OF WILLIAM G. BERTAIN

By: William G. Bertain
William G. Bertain

Attorneys for Plaintiff THE UNITED STATES OF AMERICA ex rel. RICHARD WILSON and CHRIS MARANTO

Dated: January 22, 2010

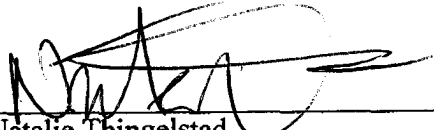
MORRISON & FOERSTER LLP

By: Natalie Thingelstad
Natalie Thingelstad

Attorneys for Defendants MAXXAM INC. and CHARLES E. HURWITZ

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I, Natalie Thingelstad, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order. Pursuant to General Order 45, I hereby attest that WILLIAM G. BERTAIN has concurred in this filing.

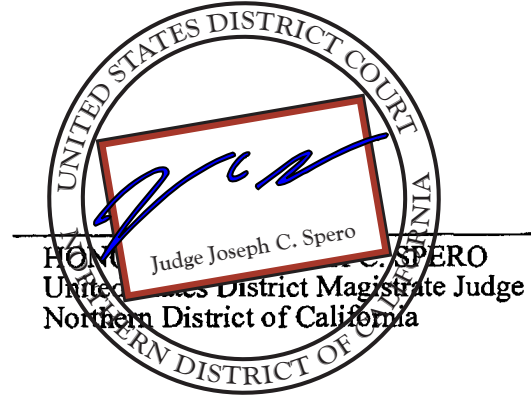

Natalie Thingelstad

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[PROPOSED] ORDER

Pursuant to the stipulation of the parties, IT IS SO ORDERED.

Dated: January 26, 2010



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CERTIFICATE OF SERVICE BY MAIL
(Fed. R. Civ. Proc. rule 5(b))

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California 94105-2482; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster’s practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster’s business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on the date hereof I served a copy of:

STIPULATION & [PROPOSED] ORDER RESCHEDULING HEARING ON WILLIAM G. BERTAIN’S MOTION TO MODIFY STIPULATION & PROTECTIVE ORDER GOVERNING CONFIDENTIALITY FILED 09/03/08, OR ALTERNATIVELY ORDER OTHER RELIEF HEREIN

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California 94105-2482, in accordance with Morrison & Foerster’s ordinary business practices:

Christopher M. Ames
CA State Attorney General’s Office
455 Golden Gate Avenue
Suite 11000
San Francisco, CA 94102-7004

Paul N. McCloskey, Jr.
Law Offices of Paul N. McCloskey, Jr.
600 Allerton Street
Suite 202
Redwood City, CA 94063

I declare under penalty of perjury that the above is true and correct.

Executed at San Francisco, California, this 22nd day of January, 2010.

Pat Wolfe
(typed)

(signature)