

1 [COUNSEL LISTED ON SIGNATURE PAGES]

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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DEBORAH GETZ, et al.,

Case No. C-07-06396 CW

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Plaintiffs,

**STIPULATION AND ORDER  
REGARDING CASE MANAGEMENT**

12

v.

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THE BOEING COMPANY, et al.,

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Defendants.

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STIPULATION AND ORDER REGARDING CASE MANAGEMENT  
CASE No. C 07-06396 CW

1           WHEREAS, on April 7, 2008, the Court entered a Minute Order and Case Management  
2 Order that established a schedule for this case;

3           WHEREAS, a case a management conference was held on April 1, 2008 wherein the  
4 Court indicated that the current schedule may need to be adjusted given the complex nature of  
5 this case, including the discovery needs of the parties which includes discovery from the United  
6 States government;

7           WHEREAS the Court ruled on two potentially dispositive motions relating to the Court's  
8 jurisdiction under the Political Question Doctrine, and whether the combatant activities exception  
9 of the Federal Tort Claims Act applies to the this case;

10           WHEREAS the parties participated in an ADR session on March 27, 2009 before a private  
11 mediator within the original deadline of April 1, 2009; the case did not settle;

12           WHEREAS the parties agree, subject to the Court's approval, to extend certain deadlines  
13 set forth in the April 7, 2008 Minute Order and Case Management Order in order to complete all  
14 necessary fact and expert discovery, and prepare the case for trial; and

15           WHEREAS the parties believe that the modified dates set forth below should be extended  
16 to promote efficiency in this case.

17           IT IS HEREBY STIPULATED by and between the parties in this action, through their  
18 counsel of record and pursuant to Civil Local Rule 7-12, that:

- 19           1.     The deadline for completion of fact discovery shall be November 3, 2009;  
20           2.     The deadline for disclosing the identities and reports of expert witnesses shall be  
21 as follows:  
22           a.     Plaintiffs: December 3, 2009;  
23           b.     Defendants: January 14, 2010;  
24           3.     The deadline for completion of expert discovery shall be February 18, 2010;  
25           4.     All case dispositive motions shall be heard at 2:00 p.m. on or before October 1,  
26 2009 (this date is contingent on cooperation in discovery by the United States government, and it  
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1 is understood that if there are difficulties in obtaining this discovery, a continuance of the motion  
2 cutoff date may be requested);

3 5. The final pretrial conference shall be held at 2:00 p.m. on September 7, 2010;

4 6. An 18-day jury trial will begin at 8:30 a.m. on September 27, 2010; and

5 7. All other deadlines referenced in the Court's April 7, 2008 order shall remain  
6 unchanged.

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9 Dated: April 8, 2009

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16 DEBORAH GETZ, ET AL.

17 Dated: April 8, 2009

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22 By: /s/ William V. O'Connor

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23 Attorneys for Defendant  
24 HONEYWELL INTERNATIONAL INC.

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Dated: April 8, 2009

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Dated: April 8, 2009

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**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

4/16

Dated: \_\_\_\_\_, 2009



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HONORABLE CLAUDIA WILKEN  
United States District Judge

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I, William V. O'Connor, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Case Management. In compliance with General Order 45, X.B., I hereby attest that concurrence in the filing of the within document has been obtained from each of the signatories herein.

Dated: April 8, 2009

MORRISON & FOERSTER LLP

By:                   /s/ William V. O'Connor                    
William V. O'Connor  
Attorneys for Defendant  
Honeywell International Inc.