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 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17 ELIZABETH ALEXANDER,
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 Plaintiff,

19 v.

20 NATIONWIDE LIFE INSURANCE
 21 COMPANY, DOES 1 through 50,
 inclusive,
 22 Defendant.

Case No. C-09-01677 CW

**STIPULATION AND ORDER
 EXTENDING TIME FOR EXPERT
 DISCOVERY AND DISCLOSURE OF
 F.R.C.P. 26(a)(2)(B) REPORT BY
 DEFENDANT’S REBUTTAL EXPERT
 WITNESS**

Assigned Judge: Hon. Claudia Wilken

Trial Date: January 10, 2011

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 24 IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through
 25 their respective counsel, as follows:

26 1. The Court’s August 17, 2009 Order established June 25, 2010, as the deadline
 27 for completion of expert witness discovery.

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2. The trial in this matter is scheduled to begin on January 10, 2011.

3. Defendant Nationwide Life Insurance Company filed its Motion for Summary Judgment on June 17, 2010, which is scheduled to be heard by this Court on June 22, 2010.

4. In response to Plaintiff's April 20, 2010 discovery requests, Defendant provided Plaintiff with additional information regarding Plaintiff's compensation on May 20, 2010.

5. Pursuant to Federal Rule of Civil Procedure 26(a)(2)(C)(ii), the date upon which Defendant is required to disclose its rebuttal expert witness report is June 24, 2010.

6. Defendant's counsel, Theodora R. Lee, has a trial and scheduled business trips during the month of August 2010.

7. Because Defendant's motion for summary judgment requesting dismissal of Plaintiff's Complaint is scheduled to be heard on July 22, 2010, because Plaintiff desires additional time for her expert to examine the additional compensation records produced by Defendant in May 2010, and because of Ms. Lee's August 2010 work schedule, the parties wish to extend the deadline for expert discovery until October 15, 2010.

8. Because Defendant has not yet had the opportunity to depose Plaintiff's expert witness, the parties agree that the deadline for service of the Rule 26(a)(2)(B) written report by Defendant's rebuttal expert should be extended to 10 days following the date upon which Defendant conducts the deposition of Plaintiff's expert witness.

9. No prior extension of time to disclose expert reports or extend expert discovery has been requested or granted.

10. The parties request that the deadline for expert discovery be extended until October 15, 2010.

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ORDER

1. The deadline for completion of expert discovery is extended to October 15, 2010.

2. The deadline for the service of the Rule 26(a)(2)(B) written report by Defendant's rebuttal expert witness is extended to 10 days following the date upon which Defendant conducts the deposition of Plaintiff's expert witness.

IT IS SO ORDERED.

Dated this 24th day of June, 2010



THE HONORABLE CLAUDIA WILKEN

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