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 7 E*TRADE FINANCIAL CORPORATION

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 E*TRADE FINANCIAL CORPORATION,
 11 Plaintiff,
 12 vs.
 13 FIDELITY AND DEPOSIT COMPANY OF
 14 MARYLAND, and DOES 1 through 20,
 inclusive,
 15 Defendants.
 16 AND RELATED COUNTERCLAIMS.

Case No. C 10-02032 CW

**ORDER ON STIPULATION RE:
 CONTINUANCE OF PRE-TRIAL AND
 TRIAL DEADLINES**

Compl. Filed: May 11, 2010
 Current Trial Date: August 1, 2011
 Proposed Trial Date: November 1, 2011

Honorable Claudia Wilken

18 E*TRADE Financial Corporation’s (E*TRADE) and Fidelity and Deposit Company of
 19 Maryland’s (“Fidelity”) stipulation regarding continuance of pre-trial and trial deadlines is hereby
 20 granted.

21 The new dates are as follows:

Event	Date
Plaintiff’s Opening Summary Judgment brief	March 31, 2011

REED SMITH LLP
 A limited liability partnership formed in the State of Delaware

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Defendant's Cross-Motion and Opposition brief	April 14, 2011
Plaintiff's Opposition to Cross-Motion and Reply brief	April 21, 2011
Defendant's Reply brief	April 28, 2011
Last Day to Complete ADR session	May 11, 2011
Hearing Date and Further Status Conference	May 12, 2011 at 2:00 p.m.
Deadline for hearing on all case-dispositive motions	May 12, 2011
Completion of Fact Discovery	July 22, 2011
Disclosure of identities and reports of expert witnesses	August 5, 2011
Disclosure of identities and reports of rebuttal expert witnesses	August 26, 2011
Completion of Expert Discovery	September 26, 2011
Final Pretrial Conference	October 18, 2011
Trial	October 31, 2011

1 In addition, E*TRADE's opening brief shall not exceed **25** pages; Fidelity's
2 combination opposition/cross motion shall not exceed **30** pages; E*TRADE's combination
3 reply/opposition to cross motion shall not exceed **20** pages; and Fidelity's sur-reply shall not exceed
4 **15** pages.

5 Dated: 12/7/2010



The Hon. Claudia Wilken
Judge of the United States District Court
for the Northern District of California