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1 3. Therefore, the parties desire additional time in which to brief the issues for  
2 motion for summary judgment.

3 4. The parties previously stipulated to an extension of the discovery and  
4 briefing dates for Phase I, which this Court ordered on August 31, 2006.

5 5. Based upon the foregoing, the parties stipulate and agree to, and request  
6 that the Court enter an Order permitting, a revision to the briefing schedule in Phase I of  
7 this case as follows:

8 a. **Present Schedule:**

- 9 • November 8, 2006 - St. Paul file motion for summary judgment;
- 10 • December 1, 2006 - Plaintiffs file cross-motion/opposition;
- 11 • December 22, 2006 - St. Paul file opposition/reply;
- 12 • January 22, 2007 - Plaintiffs file reply; and
- 13 • February 12, 2007 - Hearing date on motion(s).

14 b. **Proposed Revised Schedule:**

- 15 • December 1, 2006 - St. Paul file motion for summary judgment;
- 16 • January 12, 2007 - Plaintiffs file cross-motion/opposition;
- 17 • February 9, 2006 - St. Paul file opposition/reply;
- 18 • March 2, 2007 - Plaintiffs file reply; and
- 19 • March 26, 2007 - Hearing date on motion(s).

20 IT IS SO STIPULATED.

21 Dated: October <sup>24<sup>th</sup></sup> 2006

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24 SARA M. THORPE  
25 Attorneys for Defendant ST. PAUL  
26 MERCURY INSURANCE COMPANY  
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Dated: October 24<sup>th</sup>, 2006

ABELSON HERRON LP

By:



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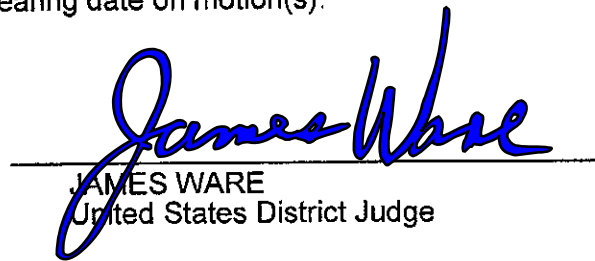
**ORDER**

This Court having considered the parties' stipulation set forth above, and good cause appearing,

IT IS ORDERED THAT the Phase I schedule in this matter is revised as follows:

- December 1, 2006 - St. Paul file motion for summary judgment;
- January 12, 2007 - Plaintiffs file cross-motion/opposition;
- February 9, 2006 - St. Paul file opposition/reply;
- March 2, 2007 - Plaintiffs file reply; and
- March 26, 2007 - Hearing date on motion(s).

Dated: 10/25/2006

  
JAMES WARE  
United States District Judge

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