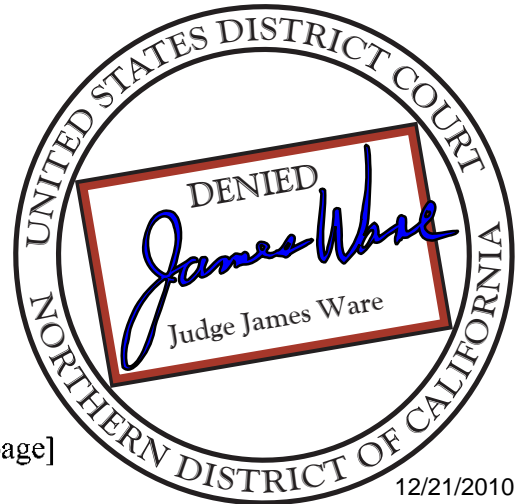


1 JAMES MCMANIS, State Bar No. 40958
 2 MICHAEL REEDY, State Bar No. 161002
 3 MCMANIS FAULKNER
 4 50 W. San Fernando St., Tenth Floor
 5 San Jose, CA 95113
 6 Telephone: (408) 279-8700
 7 Telecopy: (408) 279-3244
 8 Email: jmcmanis@mcmanisfaulkner.com
 9 mreedy@mcmanisfaulker.com



10 Attorneys for the Plaintiffs
 11 [Additional counsel for the parties appear on signature page]

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN JOSE DIVISION**

15 **SARAH PEREZ,**
 16 **MICHELLE LACKNEY,**
 17 **RACHEL STEWART AND**
 18 **RACHEL HARDYCK,**

19 On behalf of themselves and all
 20 others similarly situated,

21 Plaintiffs,

22 vs.

23 **STATE FARM MUTUAL**
 24 **AUTOMOBILE INS. CO., et al.,**

25 Defendants.

Case No.: C06-01962 (JW) (PVT)

**STIPULATION PURSUANT TO
 CIVIL L.R. 6-2(a) TO ADJUST
 CLASS SCHEDULE**

26 Come now the Plaintiffs and Defendants with this Stipulation pursuant to Local Rule 6-
 27 2(a), proposing the adjustment of the Court's Scheduling Order Re: Class Discovery entered on
 28 November 10, 2010 to facilitate preparation of expert reports and expert discovery in advance of
 the class hearing. The Parties respectfully submit the following:

1 (1) Under the Court's order, Plaintiffs' class expert report(s) must be served on
2 March 11, 2011, 63 days before the close of class discovery. Defendants must serve their
3 "opposition" reports the same day without having seen Plaintiffs' report(s) and have only 14
4 days to do rebuttal reports.

5 (2) Previous time modifications in this case have been:

- 6 a. Stipulated Request for Order Changing Time for Newly Added Defendant
7 Liberty Mutual to Respond to First Amended Complaint, entered on April, 28,
8 2006;
9
10 b. Stipulation and [Proposed] Order Setting Briefing Schedule on Motions to
11 Dismiss, entered on May 24, 2006;
12
13 c. Stipulation and [Proposed] Order Granting Plaintiffs Leave to File Second
14 Amended Complaint and Preserving Briefing Schedule and Hearing Date on
15 Defendants' Joint Motions to Dismiss, entered on July 11, 2006;
16
17 d. Stipulation and Proposed Order Relating to Scheduling of Motions to Dismiss,
18 entered on April 28, 2009;
19
20 e. Stipulation and [Proposed] Order to Continue Case Management Conference,
21 entered on September 13, 2010; and
22
23 f. Stipulation Pursuant to Civil L.R. 6-1(a) to Extend Time for Defendants to
24 Answer or Otherwise Respond to Plaintiffs' Third Amended Complaint,
25 entered on November 19, 2010.

26 (3) The proposed Stipulation would adjust class scheduling as follows:

- 27 a. New class fact discovery shall not be served after April 5, 2011.
28

- 1 b. Plaintiffs shall submit their class motion and expert disclosures on or before
2 May 19, 2011.
- 3 c. Plaintiffs' experts will be deposed within 21 days thereafter.
- 4 d. Defendants' class response and expert disclosures will be due on or before
5 June 28, 2011.
- 6 e. Plaintiffs will have 21 days to depose Defendants' experts.
- 7 f. Plaintiffs' class reply and the Parties' supplemental/rebuttal reports will be
8 due on or before July 29, 2011.
- 9 g. The class hearing will follow on the next available date that the Court's
10 calendar will accommodate.
- 11
- 12

13 A proposed Order is attached.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1 Dated: December 16, 2010

Respectfully submitted,

2 By //S//
3 **On Behalf of All Plaintiffs**

By //S//
On Behalf of All Defendants

4 James McManis
5 State Bar No. 40958
6 Michael Reedy State Bar No. 161002
7 McManis Faulkner
8 50 W. San Fernando St.
9 San Jose, CA 95113
10 Telephone: (408) 279-8700
11 Telecopy: (408) 279-3244
12 jmcmanis@mfmlaw.com

Raoul Kennedy
Skadden, Arps, Slate, Meagher & Flom LLP
Four Embarcadero Center, Suite 3800
San Francisco, CA 94111
Telephone: 415-984-6450
rkennedy@skadden.com

10 Collen Duffy-Smith
11 Morgan Duffy-Smith & Tidalgo LLP
12 1960 The Alameda
13 Suite 220
14 San Jose, CA 95126

Richard J. Zuromski, Jr.
Skadden, Arps, Slate, Meagher & Flom LLP
Four Embarcadero Center, Suite 3800
San Francisco, CA 94111
Telephone: 415-984-6471

13 R.. Stephen Berry
14 D.C. Bar No. 234815
15 Gregory Baruch
16 D.C. Bar No. 420137
17 Berry Law PLLC
18 1717 Pennsylvania Ave. NW
19 Suite 450
20 Washington, DC 20006
Telephone: (202) 296-3020
Telecopy: (202) 296-3038
sberry@berry-leftwich.com

Richard L. Fenton
SNR Denton
233 S. Wacker Drive
Suite 7800
Chicago, IL 60606
Telephone: 312-876-3170
spastroff@sonnenschein.com

21 Steven F. Benz
22 D.C. Bar No. 428026
23 Kellogg, Huber, Hansen, Todd, Evans
& Figel PLLC
24 1615 M St., N.W.
25 Suite 400
26 Washington, D.C. 20036
Telephone: (202) 326-7900
Telecopy: (202) 326-7999
sbenz@khhhte.com

Steven H. Frankel
SNR Denton
525 Market Street, 26th Floor
San Francisco, CA 94105
Telephone: 415-882-2410
sfrankel@sonnenschein.com

27 *Counsel for Plaintiffs*
28

Hoot Gibson
Snell & Wilmer
600 Anton Blvd., Ste 1400
Costa Mesa, CA 92626
Telephone: 714-427-7001
hgibson@swlaw.com

Sheila Carmody
Snell & Wilmer
One Arizona Center
Phoenix, AZ 85004
Telephone: 602-382-6268
scarmody@swlaw.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Mike Kenny
Alston & Bird
One Atlantic Center
1201 W. Peachtree Street
Atlanta, GA 30309
Telephone: 404-881-7179
mkenny@alston.com

Simon M. Kann
Bernstein & Feldman, P.A.
900 Bestgate Road, Suite 200
Annapolis, MD 21401
Telephone: 410-573-0017
skann@bflaw.com

Cari Dawson
Alston and Bird
1201 W. Peachtree Street
Atlanta, GA 30309
Telephone: 404-881-7766
cdawson@alston.com

Carol A. Rutter (*Admitted Pro Hac Vice*)
Mark G. Arnold (*Admitted Pro Hac Vice*)
Husch & Eppenberger LLC
190 Carondelet Plaza, Suite 6090
St. Louis, MO 63105
Telephone: 314-480-1500
Facsimile: 314-480-1505
carol.rutter@Husch.com
mark.arnold@Husch.com

David A. DeGroot, Ca. Bar No. 168073
Sheppard, Mullin, Richter & Hampton, LLP,
A Limited Liability Partnership Including
Professional Corporations
Four Embarcadero Center, 17th Floor
San Francisco, CA 94111-4106
Telephone: 415-434-9100
Facsimile: 415-434-3947
ddegroot@sheppardmullin.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

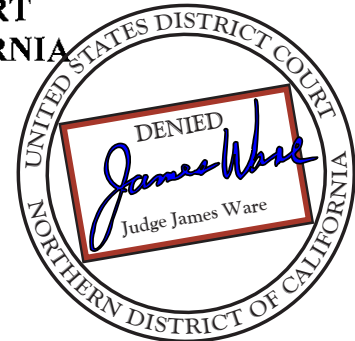
Frank Falzetta, Ca. Bar No. 125146
Sheppard, Mullin, Richter & Hampton, LLP,
A Limited Liability Partnership Including
Professional Corporations
333 South Hope Street, 48th Floor
Los Angeles, CA 90071
Telephone: 213-617-4194
Facsimile: 213-620-1398
ffalzetta@sheppardmullin.com

Counsel for Defendants

1 JAMES MCMANIS, State Bar No. 40958
2 MICHAEL REEDY, State Bar No. 161002
3 MCMANIS FAULKNER
4 50 W. San Fernando St., Tenth Floor
5 San Jose, CA 95113
6 Telephone: (408) 279-8700
7 Telecopy: (408) 279-3244
8 Email: jmcmanis@mcmanisfaulkner.com
9 mreedymcmanisfaulkner.com

10 Attorneys for the Plaintiffs
11 [Additional counsel for the parties appear on signature page]

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION



15 SARAH PEREZ,
16 MICHELLE LACKNEY,
17 RACHEL STEWART AND
18 RACHEL HARDYCK,

19 On behalf of themselves and all
20 others similarly situated,

21 Plaintiffs,

22 vs.

23 STATE FARM MUTUAL
24 AUTOMOBILE INS. CO., et al.,

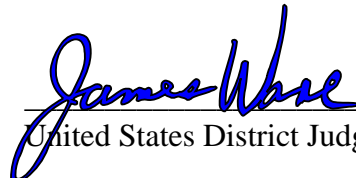
25 Defendants.

Case No.: C06-01962 (JW) (PVT)

[PROPOSED] ORDER

26 The previous schedule shall remain unchanged to advance the case.

27 Dated: December 21, 2010

28 
United States District Judge