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6 Attorneys for Defendants and Counterclaimants  
 LEWIS FAMILY ENTERPRISES, INC. and  
 STEVEN ROBERT LEWIS  
 7

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

10 FORD MOTOR CREDIT COMPANY, )  
 LLC, a Delaware Limited Liability )  
 Company, )  
 11 )  
 Plaintiff, )  
 12 )

Case No.: C 07-03301 RS  
**STIPULATED REQUEST FOR ORDER  
 CHANGING TIME FOR NON-EXPERT  
 DISCOVERY CUTOFF AND EXPERT  
 DISCOVERY (CIV. LOCAL RULE 6-2)  
 AND ORDER**  
**Trial: June 15, 2009**

13 vs. )  
 14 LEWIS FAMILY ENTERPRISES, )  
 INC., dba BOB LEWIS LINCOLN )  
 MERCURY, a California corporation, )  
 15 and STEVEN ROBERT LEWIS, an )  
 individual, )  
 16 )  
 Defendants. )  
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18 )  
 19 LEWIS FAMILY ENTERPRISES, )  
 INC., dba BOB LEWIS LINCOLN )  
 MERCURY, a California corporation, )  
 20 and STEVEN ROBERT LEWIS, an )  
 individual, )  
 21 )  
 Counterclaimants, )  
 22 )

23 vs. )  
 24 FORD MOTOR CREDIT COMPANY, )  
 LLC, a Delaware Limited Liability )  
 Company; FORD MOTOR COMPANY, )  
 25 a Delaware corporation; CAPITOL )  
 EXPRESSWAY FORD, INC., a )  
 26 Delaware corporation; and DOES 1 )  
 through 10, inclusive, )  
 27 )  
 Counterdefendants. )  
 28 )

1           **PURSUANT TO CIVIL LOCAL RULE 6-2, THE PARTIES HEREBY STIPULATE,**  
2 **THROUGH COUNSEL OF RECORD:**

3 1.       The present non-expert discovery cutoff is October 1, 2008. The parties agree to a  
4 60-day continuance of the discovery cutoff until December 1, 2008. This extension is to  
5 allow the parties to complete additional discovery which is necessary, as well as afford the  
6 parties an opportunity to explore private mediation before incurring the expense and  
7 attorney's fees attendant to the balance of discovery which remains.

8 2.       The parties agree that expert disclosure and discovery will occur as follows:

9           a.       On or before January 5, 2009, Plaintiff shall disclose expert testimony and  
10 reports in accordance with Rule 26(a)(2), F.R.Civ.P.

11           b.       On or before January 20, 2009, Defendants shall disclose expert testimony  
12 and reports in accordance with Rule 26(a)(2), F.R.Civ.P.

13           c.       On or before March 16, 2009, all discovery of expert witnesses pursuant to  
14 Rule 26(a)(4), F.R.Civ.P., shall be completed.

15 3.       The parties agree that other dates will remain in place, including the last day for  
16 mediation (November 3, 2008), hearing of pretrial motions (April 29, 2009), and the  
17 pretrial conference (June 3, 2009) and trial (June 15, 2009) dates.

18 4.       This is the first request for alteration of any dates in the Court's Case Management  
19 Order of February 27, 2008.

20 Dated: September 16, 2008

RANKIN, LANDSNESS, LAHDE,  
SERVERIAN & STOCK

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23 By: /s/ Jon A. Heaberlin  
24 JON A. HEABERLIN  
25 Attorneys for Defendants,  
26 Counterclaimants LEWIS FAMILY  
ENTERPRISES, INC. and STEVEN  
ROBERT LEWIS

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DATED: /s/ September 16, 2008

SEVERSON & WERSON, P.C.

By: /s/ Donald H. Cram, III  
DONALD H. CRAM, III, ESQ.  
Attorneys for Plaintiff FORD MOTOR  
CREDIT CO., LLC and Counter-Defendant  
FORD MOTOR COMPANY, INC.

DATED: /s/ September 16, 2008

GORDON & REES, LLP

By: /s/ Brian P. Maschler  
BRIAN P. MASCHLER, ESQ.  
Attorneys for Counter-Defendant CAPITOL  
EXPRESSWAY FORD

**ORDER**

THE PARTIES HAVING STIPULATED, all non-expert discovery shall now be completed on or before December 1, 2008. Expert disclosure and discovery will occur as follows:

- a. On or before January 5, 2009, Plaintiff shall disclose expert testimony and reports in accordance with Rule 26(a)(2), F.R.Civ.P.
- b. On or before January 20, 2009, Defendants shall disclose expert testimony and reports in accordance with Rule 26(a)(2), F.R.Civ.P.
- c. On or before March 16, 2009, all discovery of expert witnesses pursuant to Rule 26(a)(4), F.R.Civ.P., shall be completed.

All other dates and deadlines will remain as currently set.

**IT IS SO ORDERED.**

DATED: 9/17/08

  
MAGISTRATE JUDGE OF THE U.S.  
DISTRICT COURT