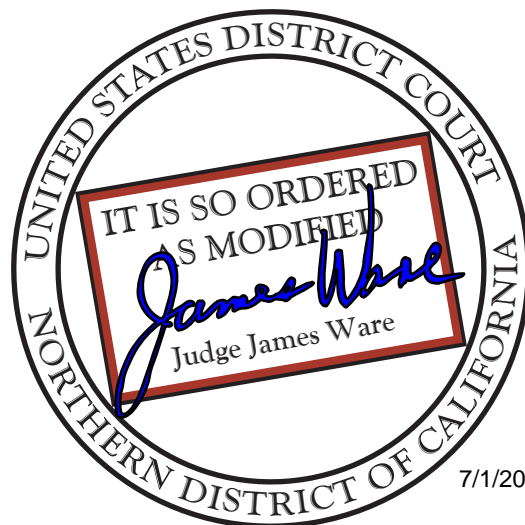


CHARLES P. RETTIG, State Bar No. 97848
 STEVEN TOSCHER, State Bar No. 91115
 AVRAM SALKIN, State Bar No. 30412
 EDWARD M. ROBBINS, JR., State Bar no. 82696
 SHARYN M. FISK, State Bar No. 199898
 Hochman Salkin Rettig Toscher & Perez, P.C.
 9150 Wilshire Boulevard, Suite 300
 Beverly Hills, CA 90212
 Phone: 310/281-3200
 Fax: 310/859-1430
 E-Mail: sf@taxlitigator.com

JOSEPH P. RUSSONIELLO
 United States Attorney
 THOMAS M. NEWMAN
 Assistant United States Attorney
 HENRY C. DARMSTADTER
 JAMES E. WEAVER
 STEVEN P. JOHNSON
 ADAM D. STRAIT
 Trial Attorneys, Tax Division
 U.S. Department of Justice
 P.O. Box 683, Ben Franklin Station
 Washington, DC 20044-0683
 Telephone: 202/307-6481
 Facsimile: 202/307-0054
 E-Mail: henry.c.darmstadter@usdoj.gov



7/1/2010

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

**SANTA CLARA VALLEY HOUSING
 GROUP, INC. and KRISTEN M.
 BOWES,**

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 08-cv-05097-JW

**THIRD STIPULATION AND
 [PROPOSED] ORDER TO EXTEND
 THE DISCOVERY PERIOD AND
 OTHER PRETRIAL DATES**

Plaintiffs Santa Clara Valley Housing Group, Inc. ("SCVHG") and Kristen M. Bowes (collectively, "Plaintiffs"), and Defendant the United States of America ("United States"), by and through their counsel, pursuant to Civil Local Rule 6-2, jointly stipulate that the discovery period and other pretrial dates established by the Court in its Order to Extend the Discovery Period and Other Pretrial Dates (docket entry #30) should be extended for an additional forty-five (45) day

1 period in order to provide the parties with sufficient time to complete fact and expert discovery.

2 This income tax refund suit is the first SC2 tax transaction to be litigated in the Federal
3 District Court. As a significant case of first impression, this action requires substantial additional
4 fact discovery to prepare the matter for trial. In addition, both parties believe it is advisable to
5 conduct further fact discovery before the designation of expert witnesses.

6 During the discovery period to date, the parties have exchanged (or received from third
7 parties) thousands of pages of documents and have taken numerous oral depositions throughout
8 the State of California as well as in Arizona, Illinois and Washington, D.C.

9 In the next several months, the United States anticipates taking additional oral depositions
10 of current or former KPMG employees and other individuals and entities involved in the subject
11 transaction. The Plaintiffs also intend to take additional oral depositions of other individuals and
12 entities involved in the subject transaction. Both parties intend to designate experts in this action
13 and anticipate filing dispositive motions at the close of discovery.

14 Therefore, the parties jointly stipulate and request that the Case Schedule should be
15 modified as follows:

16	Deadline to Designate Expert Witnesses:	August 23, 2010
17	Preliminary Pretrial and Trial Conference	
18	Statement and Proposed Pretrial Order Due:	September 10, 2010
19	Preliminary Pretrial Conference:	September 20, 2010, 11:00 a.m.
20	Close of Fact Discovery	October 15, 2010
21	Disclosure of Rebuttal Experts:	October 22, 2010
22	Close of Expert Discovery	December 15, 2010
23	Deadline to file and serve Notice of Motion	
24	to Exclude expert testimony or portion	
	thereof:	January 11, 2011
25	Deadline to file dispositive motions:	January 11, 2011
26	Deadline to file responses to dispositive motions:	February 11, 2011

27 ///

28 ///

Deadline to file replies to responses to
dispositive motions:

March 11, 2011

Last date for hearing dispositive motions:

March 21, 2011 at 9:00 AM

Respectfully submitted this 29th day of June, 2010.

JOSEPH P. RUSSONIELLO
United States Attorney

HOCHMAN, SALKIN, RETTIG, TOSCHER
& PEREZ, P.C.

THOMAS M. NEWMAN
Assistant United States Attorney

/s/

CHARLES P. RETTIG

STEVEN TOSCHER

AVRAM SALKIN

EDWARD M. ROBBINS, JR.

SHARYN M. FISK

Hochman, Salkin, Rettig, Toscher & Perez, P.C.

9150 Wilshire Boulevard, Suite 300

Beverly Hills, CA 90212-3414

Telephone: 310/281-3200

Facsimile: 310/281-1430

Rettig@taxlitigator.com

Toscher@taxlitigator.com

Salkin@taxlitigator.com

Robbins@taxlitigator.com

Fisk@taxlitigator.com

/s/

HENRY C. DARMSTADTER

JAMES E. WEAVER

STEVEN P. JOHNSON

ADAM D. STRAIT

Trial Attorneys, Tax Division

U.S. Department of Justice

P.O. Box 683, Ben Franklin Station

Washington, D.C. 20044-0683

Telephone: 202/307-6481

Facsimile: 202/307-0054

henry.c.darmstadter@usdoj.gov

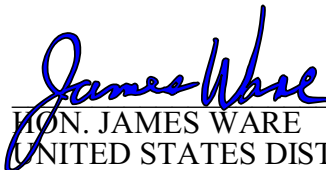
Attorneys for Defendant United States

Attorneys for Plaintiffs Bowes and Santa Clara
Valley Housing Group

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

This is a final continuance.

Dated this 1st day of July, 2010



HON. JAMES WARE
UNITED STATES DISTRICT JUDGE

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