



their opinions, and prepare their reports. The parties intend to file a Joint Motion for Continuance and should the Court grant the Continuance, an agreed amended scheduling order will be filed for approval by the Court. However, some of the deadlines will expire next week and the parties need an extension of time to provide expert reports and complete discovery.

Dated: January 4, 2007

Respectfully submitted,

By: /s/ Douglas R. McSwane, Jr.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by facsimile transmission and/or first class mail this 4<sup>th</sup> day of January, 2007.

/s/ Douglas R. McSwane, Jr.  
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