UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

R.J. Zayed, In his Capacity as Court-Appointed Receiver for Trevor G. Cook, et al.,

Plaintiff,

vs.

Arch Insurance Company,

Defendant.

Case No: 0:11-cv-01319-MJD-FLN

STIPULATION TO EXTEND PRETRIAL DEADLINES

WHEREAS, the Court filed a Pretrial Schedule on September 14, 2011 (Docket No. 17), which was amended as to the expert disclosure deadlines by Order dated December 1, 2011 (Docket No. 22).

WHEREAS, the Pretrial Schedule, as amended, set the following deadlines:

1. All discovery shall be commenced in time to be completed by March 1, 2012.
2. All nondispositive motions and supporting documents, including those which relate to discovery, shall be filed and served by March 1, 2012.
3. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) shall be made as follows:
   a. By Plaintiff(s) on or before January 9, 2012.
   b. By Defendant(s) on or before February 13, 2012.
4. Full disclosure of the substance of the testimony to be offered by each expert witness shall be made as follows:
   a. By plaintiff(s) on or before January 9, 2012.

b. By defendant(s) on or before February 13, 2012.

5. Each party may depose no more than 3 expert witnesses on or before March 1, 2012.

6. All dispositive motions shall be filed, briefed and scheduled for hearing prior to May 1, 2012.

7. This case shall be ready for trial no later than September 1, 2012, at which time it will be placed on the court's jury trial calendar.

WHEREAS, to date, the parties have exchanged discovery requests and responses, and Plaintiff has produced approximately 2GB of documents in a rolling production. Plaintiff currently anticipates completing the production soon after the first of the year. Defendant is in the process of producing documents. The parties are discussing the scheduling of depositions, which they anticipate taking shortly.

WHEREAS, because of issues that have arisen and delayed the production of documents, the parties have agreed to extend the pretrial deadlines in the Pretrial Schedule by 60 days.

WHEREAS, the parties certify and agree that this request for an extension of time is made in good faith, will not prejudice the respective parties, and is not made for the purpose of delay.

THEREFORE, the parties, through undersigned counsel, stipulate and move pursuant to Local Rule 16.3 that the Pretrial Schedule governing this action be amended as follows:

1. All discovery shall be commenced in time to be completed by May 1, 2012.

2. All nondispositive motions and supporting documents, including those which relate to discovery, shall be filed and served by May 1, 2012.

3. Disclosure of the identity of expert witnesses under Rule 26(a)(2)(A) shall be made as follows:

   a. By Plaintiff(s) on or before March 9, 2012.

   b. By Defendant(s) on or before April 13, 2012.

4. Full disclosure of the substance of the testimony to be offered by each expert witness shall be made as follows:

   a. By plaintiff(s) on or before March 9, 2012.

   b. By defendant(s) on or before April 13, 2012.

5. Each party may depose no more than 3 expert witnesses on or before May 1, 2012.

6. All dispositive motions shall be filed, briefed and scheduled for hearing prior to July 1, 2012.

7. This case shall be ready for trial no later than November 1, 2012, at which time it will be placed on the court's jury trial calendar.

—continued—

All other provisions, dates and deadlines provided in the Pretrial Schedule shall remain the same.

STIPULATED TO BY:

Dated: December 28, 2011

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Dated: December 22, 2011

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