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12 Attorneys for Plaintiff
13 Official Unsecured Creditors Committee of City of
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15 UNITED STATES BANKRUPTCY COURT
16 EASTERN DISTRICT OF CALIFORNIA
17 SACRAMENTO DIVISION

18 In re: Case No. 2008-26813
19 In re: City of Vallejo, California, Chapter 9
20 Debtor.

21 Official Unsecured Creditors
22 Committee of City of Vallejo
23 Retirees, Adv. No. 2010-02136
24 Plaintiff, **STIPULATION AND ORDER TO
25 ALLOW PLAINTIFF TO AMEND
26 ADVERSARY COMPLAINT**

27 vs.
28 City of Vallejo, California
Defendant.

29 IT IS HEREBY STIPULATED by and between Plaintiff Official Unsecured Creditors
30 Committee of City of Vallejo Retirees (“Plaintiff”) and Defendant City of Vallejo, California
31 (“Defendant”), by and through their respective counsel, that Plaintiff may amend Plaintiff’s
32 Complaint to include a claim based upon California Government Code section 20479. Fed. R.
33 Bank. Proc. 7015; Fed. R. Civ. Proc. 15(a); E.D. Local Bank. R. 9019-1(a). The Parties
34 further agree that by entering into this Stipulation Defendant does not intend to waive and

1070706.1

1 does not waive any defenses it may have to Plaintiff's Complaint or the Amended Complaint.
2 The time for Defendant to respond to the Amended Complaint will be the later of May 3,
3 2010, or 14 days following service of the Amended Complaint as provided in Rule 15 of the
4 Federal Rules of Civil Procedure, as incorporated by Bankruptcy Rule 7015. Subject to the
5 Court's Order, the dates of the previously scheduled Status Conference (May 19, 2010) and
6 the corresponding discovery conference and disclosures will remain unchanged
7 notwithstanding the filing of the Amended Complaint.

8
9 DATED: April 16, 2010

DOWNEY BRAND LLP

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11 By: /s/ DANIEL J. COYLE
12 DANIEL J. COYLE
13 Attorney for Plaintiff
14 Official Unsecured Creditors Committee of City of
15 Vallejo Retirees

16 DATED: April 16, 2010

ORRICK HERRINGTON & SUTCLIFFE LLP

17 By: /s/ MARC A. LEVINSON
18 MARC A. LEVINSON
19 MICHAEL WEED
20 Attorney for Defendant
21 City of Vallejo, California


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ORDER

Pursuant to the above Stipulation for an Order permitting Plaintiff to file an amended complaint and setting forth the time for Defendant to respond thereto,

IT IS HEREBY ORDERED that Plaintiff may file an amended complaint and that the time for Defendant to respond to the Amended Complaint will be the later of May 3, 2010, or 14 days following service of the Amended Complaint. Further, the dates of the previously scheduled Status Conference (May 19, 2010) and the corresponding discovery conference and disclosures will remain unchanged.

Dated: April 20, 2010

By the Court

Michael S. McManus
United States Bankruptcy Judge