

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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KATHLEEN McHUGH and  
DEANNA SCHNEIDER,  
Individually and on behalf of  
all persons similarly situated,

Plaintiffs,

-v-

Case No. 11-cv-724-bbc

MADISON-KIPP CORPORATION,  
CONTINENTAL CASUALTY  
COMPANY, COLUMBIA CASUALTY  
COMPANY, UNITED STATES FIRE  
INSURANCE COMPANY and ABC  
INSURANCE COMPANIES 1 – 50,

Defendants.

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**AGREED MOTION TO MODIFY BRIEFING SCHEDULE ON DEFENDANT  
MADISON-KIPP CORPORATION'S MOTION FOR SUMMARY JUDGMENT**

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Plaintiffs, Kathleen McHugh and Deanna Schneider, individually and on behalf of all others similarly situated, by and through their undersigned attorneys, move this Court to modify by thirteen (13) days the briefing schedule on the motion for summary judgment (Doc. 147) filed by Defendant Madison-Kipp Corporation ("MKC"). In support of this motion, which is agreed to by MKC, Plaintiffs state as follows:

1. On February 19, 2013, MKC filed a motion for summary judgment (Doc. 147). MKC's summary judgment motion is supported by a 38 page memorandum (Doc. 160) and thousands of pages of materials, including affidavits, declarations, documents, expert reports and deposition excerpts (see, Docs. 148, 149, 152, 155, 161).

2. Under the briefing schedule which is currently in effect as to MKC's motion, Plaintiffs' response brief is due on March 12, 2013 and MKC's reply brief is due on March 22, 2013.

3. Given the large volume of materials involved with MKC's motion, and to allow Plaintiffs to depose an expert MKC relies upon in its motion but who is not available for deposition until after March 12, Plaintiffs are in need of a short extension to file their response brief. Plaintiffs request that they be allowed an additional thirteen (13) days, to and including March 25, 2013, in which to file their summary judgment response brief.

4. MKC's counsel (John Busch) has been consulted about this proposed extension and agrees to it. MKC is further agreeable to filing its summary judgment reply brief ten (10) days after Plaintiffs file their response brief, on or before April 4, 2013.

5. Based on the above, Plaintiffs respectfully request that this Court enter an order modifying the briefing schedule on MKC's summary judgment schedule such that Plaintiffs' response brief is due on March 25, 2013 and MKC's reply brief is due on April 4, 2013.

WHEREFORE, Plaintiffs respectfully request that this Court enter an order modifying the briefing schedule on MKC's summary judgment motion as set forth above.

Dated: February 26, 2013

By: s/ Michael D. Hayes  
One of Plaintiffs' Attorneys

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Counsel for Plaintiffs and the Class

**CERTIFICATE OF SERVICE**

Michael D. Hayes, an attorney, hereby certifies that a true and correct copy of the foregoing **Agreed Motion to Modify Briefing Schedule on Defendant Madison-Kipp Corporation's Motion for Summary Judgment** was on February 26, 2013 electronically served on all counsel of record as a result of the CM/ECF filing of this document.

s/ Michael D. Hayes