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The McGraw-Hill Companies, Inc.  
8 and Harold W. McGraw III

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

11 MICHAEL BLOMQUIST,  
12  
13 Plaintiff,

14 v.

15 WASHINGTON MUTUAL, KERRY K.  
16 KILLINGER, JOSEPH W. SAUNDERS,  
17 COUNTRYWIDE HOME LOANS, INC.,  
18 ANGELO MOZILLO, WACHOVIA  
CORPORATION, KEN THOMPSON,  
19 CITIGROUP, SANFORD WEILL, CHARLES  
20 PRINCE, GOLDMAN SACHS GROUP, INC.,  
HENRY PAULSON, BEAR STERNS  
21 COMPANIES, INC., JAMES CAYNE, THE  
22 MCGRAW HILL COMPANY, INC., HAROLD  
MCGRAW III, WELLS FARGO &  
23 COMPANY, PATRICIA R. CALLAHAN,  
HERBERT M. SANDLER, ROCK HOLDINGS,  
24 INC., EXPERIAN CORPORATION,  
FIMALAC, INC., MOODY'S CORPORATION,  
25 JAMES E. GILLERAN, JOHN M. REICH,  
JOHN D. HAWKE JR., JOHN C. DUGAN,  
SUSAN SCHMIDT BIES, DONALD E.  
POWELL, and SHEILA C. BAIR,

26 Defendants

Case No. C-07-04108-JF(HRL)

**DEFENDANTS THE MCGRAW-HILL  
COMPANIES, INC. AND HAROLD W.  
MCGRAW III'S RESPONSE TO  
PLAINTIFF'S MOTION TO POSTPONE  
HEARING DATE**

Date: July 11, 2008  
Time: 9:00 a.m.  
Before: Hon. Jeremy Fogel

27 Defendants The McGraw-Hill Companies, Inc. and Harold W. McGraw III ("the McGraw-  
28 Hill Defendants") respectfully submit this response to Plaintiff Blomquist's motion filed on June

1 17, 2008.

2 On June 17, 2008 Plaintiff Blomquist filed papers styled as “Leave to Amend F.A.C. &  
3 Motion to Postpone July 11, 2008 Hearing Date.” (D.E. # 89) Earlier today, Mr. Blomquist also  
4 filed a “Proposed Order” on the motion that would (1) extend his time to file papers in opposition  
5 to the pending motions to dismiss (otherwise due today) until July 11, 2008, (2) require Plaintiff to  
6 attach a Proposed Second Amended Complaint to those opposition papers, (3) adjourn the  
7 presently scheduled hearing date of July 11, 2008 to August 29, 2008, and, (4) deny Plaintiff’s  
8 request to file a Second Amended Complaint “at this time.” (D.E. # 90)

9 The McGraw-Hill Defendants oppose Plaintiff’s request to extend his time to file papers in  
10 opposition to the motions to dismiss and postpone the hearing date on the ground that Plaintiff  
11 requested similar relief from the Court during the course of the May 30, 2008 Case Management  
12 Conference and the Court denied the request. Because Mr. Blomquist has made no sufficient  
13 showing as to why the Court should reconsider its previous ruling, his renewed request should be  
14 denied. To the extent Plaintiffs’ papers of June 17, 2008 can be read as a motion for leave to  
15 amend the Complaint, Plaintiff’s Proposed Order filed today concedes that that request should be  
16 denied.

17 Dated: June 20, 2008

Respectfully submitted,

18  
19 BERGESON, LLP

20 By: \_\_\_\_\_  
21 /s/ Michael W. Stebbins

22 Attorneys for Defendants The McGraw-Hill  
23 Companies, Inc and Harold W. McGraw III

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