Christopher L. Campbell #116329
Jeffrey A. Jaech #076876
BAKER MANOCK & JENSEN, PC
5260 North Palm Avenue, Fourth Floor
Fresno, California 93704
Telephone: 559.432.5400
Facsimile: 559.432.5620
Email: CCampbell@bakermanock.com

Peter E. Tracy #78185
LAW OFFICE OF PETER E. TRACY
106 South Main Street, #200
P.O. Box 485
Bishop, California 93515
Telephone: 760.872.1101
Facsimile: 760.872.2971
Email: inyomono@stanfordalumni.org

Attorneys for Petitioner David Hitz, Chairman of the Board of Trustees of the L. L. Nunn Trust, acting on behalf of the Board of Trustees

Joseph C. Liburt #155507
ORRICK HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, California 94025
Telephone: 650.614.7400
Fascimile: 650.614.7401
Email: jliburt@orrick.com

Heather M. Hoekstra #276197
420 Coventry Road
Kensington, California 94707
Telephone: 510.525.1514
Email: hmatsumoto@berkeley.edu

Attorneys for Objectors/Respondents Kinch Hoekstra and Edward Keonjian, Trustees of the L. L. Nunn Trust

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF INYO

In re the Matter of the L. L. Nunn Trust for the benefit of Deep Springs College under the Deed of Trust dated November 5, 1923	Case No. SI CV PB 1253232 **STIPULATION RE BIFURCATION AND BRIEFING SCHEDULE** **DATE: July 5, 2012** **TIME: 9:00 AM** **DEPT: 1** **JUDGE: Hon. Dean T. Stout**

Petitioner, David Hitz, Chairman of the board of trustees of the Lucien L. Nunn Trust (the "L. L. Nunn Trust"), acting on behalf of the board of trustees (the "Trustees"), has filed herein his Petition for Court Order Construing Trust Provisions, or, If Necessary, Modifying the Trust Instrument (the "Petition"). Kinch Hoekstra and Edward Keonjian, as dissenting members of the board of trustees of the L. L. Nunn Trust, have filed herein objections to the Petition. The matter is set for status hearing on the probate calendar for July 5, 2012, at 9:00 a.m. in Department 1.

Objectors have stated an intention to file herein a motion to join the Deep Springs Corporation as a party (the "Joinder Motion") and a motion for a preliminary injunction (the "Injunction Motion").

The Petition includes prayers for an interpretation of the L. L. Nunn Trust instrument and, if necessary, a modification of such instrument. The parties have agreed to bifurcate the trial on such Petition, such that the interpretation issue is heard and decided first.

Petitioner David Hitz and Objectors Kinch Hoekstra and Edward Keonjian, by and through their respective attorneys of record, hereby stipulate as follows:

1. The parties request that the court set hearings on the interpretation issue, Joinder Motion, and Injunction Motion at the same time during the week of September 24, 2012. The hearings on such matters shall be heard on that date, unless the parties stipulate either to an earlier or later hearing date.

2. The filing deadlines and briefing schedule for the Joinder Motion and the Injunction Motion shall be those as set forth in the Code of Civil Procedure.

3. Regarding the interpretation issue, each side will be permitted an opening submission and a response submission. The parties may submit declarations and documents in support, but there will no live testimony. The opening submissions shall be filed and served by e-mail no later than the due date for the Joinder Motion and the Injunction Motion initial briefs. The response submissions shall be filed and served by e-mail on the date 15 days thereafter. The parties may incorporate by reference in their Injunction Motion briefs whatever portions they deem appropriate from their interpretation issue briefs.

4. Absent further stipulation or court order, each party's opening briefs on the interpretation issue, the Joinder Motion, and the Injunction Motion shall not exceed 30 pages per each brief for each motion, and any later submission by a party on those matters shall not exceed 15 pages per brief per motion.

5. If the court enters an order interpreting the L. L. Nunn Trust as requested by petitioner, the parties agree that such an order is appealable under Probate Code §1304, and that the modification issue need not be decided before an appeal may be made. Petitioner agrees to waive any argument on appeal that the appeal is premature, not ripe, or not an appealable final judgment due to the lack of a ruling on the modification issue.

6. The L. L. Nunn Trust trustees shall not issue any public statement that women will definitely be admitted for the 2013 school year, until the court rules on the Injunction Motion, and petitioner shall request that the Deep Springs Corporation refrain from doing the same. Nothing herein shall prevent the Deep Springs Corporation or the L. L. Nunn Trust trustees from issuing public statements of an intent to admit women for the 2013 school year unless blocked by a court order. Until the court rules on this Injunction Motion, in any mailings to or solicitations for women applicants for the 2013 school year, such mailings or solicitations shall include a notification that the issue of whether Deep Springs College is legally permitted to enroll women as students is currently before a court, and consequently Deep Springs College cannot guarantee that it will admit women as students for the 2013 school year.

Dated: July ___, 2012

BAKER MANOCK & JENSEN, PC

By: _____
Jeffrey A. Jaech
Attorneys for Petitioner DAVID HITZ

Dated: July ___, 2012

ORRICK HERRINGTON & SUTCLIFFE LLP

By: _____
Joseph C. Liburt
Attorneys for Objectors KINCH HOEKSTRA and EDWARD KEONJIAN