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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 03-2853 GAF (MANx)

Date: April 5, 2004

Title: LM Ins. Corp. v. Great West Cas. Co., et al.

PLANNED

The Honorable Gary Allen Feess, Judge

Marilynn Morris
Courtroom Deputy Clerk

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR DEFENDANTS:
None Present

PROCEEDINGS (In Chambers):

The Court is in receipt of Defendant Northland Insurance Company's supplement to its opposition to Plaintiff LM Insurance Corporation's ("LMI") motion for summary judgment. The supplemental opposition raises a new argument – one that Northland failed to include in either its previous motion for summary judgment or in its opposition to LMI's motion. Even though Northland has had over two weeks to seek leave to file a supplemental brief, Northland waited to file its supplement until 4:00 p.m. on Friday, April 2, 2004, even though LMI's reply was due on Monday, April 5, 2004.

Northland's supplemental brief raises an important issue that potentially impacts all the parties to this litigation and both of the pending summary judgment motions. Therefore, rather than strike Northland's untimely filing, the Court orders that the hearing date for both summary judgment motions be **CONTINUED**. The new hearing date is **Monday, April 19, 2004 at 9:30 a.m.** Both LMI and Plaintiff in Intervention, the Insurance Company of the State of Pennsylvania, may file reply briefs on or before **Monday, April 12, 2004**.

IT IS SO ORDERED.

DOCKETED ON CM
APR - 7 2004
BY WJ 005

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