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(SPACE BELOW FOR FILING STAMP ONLY)

6 Attorneys for Defendants and Counter-Complainants
LANCE-KASHIAN & COMPANY, EDWARD
7 KASHIAN, and JENNIFER SCHUH

8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

10
11 ENDURANCE AMERICAN SPECIALTY
INSURANCE COMPANY,

12 Plaintiff,

13 v.

14 LANCE-KASHIAN & COMPANY,
15 EDWARD KASHIAN, and JENNIFER
SCHUH,

16 Defendants.

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18 LANCE-KASHIAN & COMPANY,
EDWARD KASHIAN, and JENNIFER
19 SCHUH,

20 Counter-Complainants,

21 v.

22 ENDURANCE AMERICAN SPECIALTY
INSURANCE COMPANY,

23 Counter-Defendant.

Case No. 1:10-cv-01284-LJO-BAM

**ORDER; STIPULATION RE:
ENDURANCE’S PRODUCTION OF
ADDITIONAL DOCUMENTS AND
TAKING OF DEPOSITIONS OF KEITH
LITTLE AND JOHN MINETT**

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The stipulation having been reviewed by the Court and for good cause shown, the stipulation is approved and it is hereby ORDERED that:

1) Endurance American Specialty Insurance Company (“Endurance”) will produce, no later than December 9, 2011, all documents responsive to Lance-Kashian & Co., Edward Kashian, and Jennifer Schuh’s (“Defendants”) requests for production 23, 24, 25, 26, 31, 35, and 36, but shall limit its production under each category to approximately 250-300 files internally coded at Endurance under the Delaware and California search fields, and shall be further limited 1) to files in which the subject litigation was located in California and/or Delaware, 2) to files involving claims open during the years 2009 and/or 2010, and 3) to files involving the same product line to which the Endurance policy at issue in this action belongs consisting of policies which include professional liability coverage.

2) For purposes of requests for production 23, 24, 25, and 26, each of which references actions that are “similar” to the Adversary Proceeding, a “similar” proceeding shall mean any civil proceeding, including but not limited to an adversary proceeding in bankruptcy court, in which allegations are made against the insured of intentional and/or negligent business torts and/or contract claims, including but not limited to, claims for breach of a partnership agreement or other contract, breach of the covenant of good faith and fair dealing, breach of fiduciary duty, intentional interference with prospective economic advantage, negligent interference with prospective economic advantage, intentional or unintentional misrepresentations/fraud, enforcement of a stay, injunctive relief, and/or other related or similar business-type torts.

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3) The depositions of Keith Little and John Minett, which were ordered by the Court to take place no later than November 18, 2011, shall be taken no later than December 31, 2011. If the parties are not able to identify a mutually convenient date for the depositions before December 31, 2011, the parties will seek an extension of time from the Court in which do so. The Court's October 21, 2011 Minute Order granting the depositions otherwise remains unchanged, including with respect to the scope and duration limitations imposed by the Court.

IT IS SO ORDERED.

Dated: November 7, 2011

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE