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8 Attorneys for Defendant  
9 NORTH AMERICAN CAPACITY INSURANCE  
10 COMPANY

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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

11 EVANSTON INSURANCE  
12 COMPANY, an Illinois corporation,  
13  
14 Plaintiff,

15 v.

16 NORTH AMERICAN CAPACITY  
17 INSURANCE COMPANY, a New  
18 Hampshire corporation,  
19 Defendant.

Case No.: 1:13-CV-01365-AWI-SAB

**STIPULATION AND ORDER RE:  
CONTINUANCE OF DATES**

Complaint Filed: 08/26/13  
Trial Date: 03/03/15

19 On October 16, 2014, plaintiff EVANSTON INSURANCE COMPANY  
20 (“EVANSTON”) and defendant NORTH AMERICAN CAPACITY  
21 INSURANCE COMPANY (“NAC”) filed their respective cross-Motions for  
22 Summary Judgment with the court. Those Motions have been taken under  
23 submission by the court for final ruling. As the parties believe that the ruling on  
24 the cross-Motions for Summary Judgment is likely to be dispositive of the Trial  
25 of the action, plaintiff EVANSTON and defendant NAC hereby stipulate, agree,  
26 and request that the current Pre-Trial Conference date of January 21, 2015 be  
27 continued to a date no sooner than 30 days after the court’s ruling on the  
28 dispositive cross-Motions for Summary Judgment, and that the Trial date of

1 March 3, 2015 be vacated and that a new Trial date be set accordingly.

2 IT IS SO STIPULATED.

3  
4 Dated: December 30, 2014

MECKLER BULGER TILSON  
MARICK PEARSON LLP

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6 By: Michael W. Melendez  
7 MICHAEL W. MELENDEZ  
8 Attorneys for Plaintiff  
9 EVANSTON INSURANCE COMPANY

10 Dated: December 30, 2014

GRIMM, VRANJES & GREER LLP

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12 By: Gregory D. Stephan  
13 GREGORY D. STEPHAN  
14 Attorneys for Defendant  
15 NORTH AMERICAN CAPACITY  
16 INSURANCE COMPANY

17 **ORDER**

18 The Pre-Trial Conference date of January 21, 2015, the Trial date of  
19 March 3, 2015, and all dates and orders relating to trial are VACATED. Once  
20 the motions for summary judgment have been ruled upon, the parties will contact  
21 the Magistrate Judge's Courtroom Deputy for a new Scheduling Conference  
22 hearing date.

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25 IT IS SO ORDERED.

26 Dated: December 30, 2014

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28 SENIOR DISTRICT JUDGE