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 8 HAGERTY INSURANCE AGENCY and  
 ESSENTIA INSURANCE COMPANY

9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

12 RAY GIBSON,  
 13 Plaintiff,  
 14 v.  
 15 HAGERTY INSURANCE AGENCY, a  
 16 Limited Liability Corporate entity doing  
 business in California, ESSENTIA  
 17 INSURANCE COMPANY, a Corporate  
 Entity doing business in California, And  
 18 DOES 1-50,  
 19 Defendants.  
 20 HAGERTY INSURANCE AGENCY, LLC,  
 21 and ESSENTIA INSURANCE COMPANY,  
 22 Defendants/Cross-Complainants,  
 23 v.  
 24 RAY GIBSON, JUDY SLACK and ROES 1  
 25 through 10.  
 26 Cross-Defendants.

Case No. 1:16-CV-00677-DAD-BAM

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE INITIAL  
 SCHEDULING CONFERENCE**

Date: October 11, 2016  
 Time: 9:30 a.m.  
 Courtroom: 23  
 Judge: Magistrate Judge Barbara  
 A. McAuliffe

Complaint filed: April 7, 2016  
 Removed from State Court: May 11, 2016

27 Pursuant to Local Rule 143, the parties hereby stipulate to continue the Initial  
 28 Scheduling Conference from October 11, 2016 to November 15, 2016.

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**RECITALS**

WHEREAS, on September 1, 2016, Magistrate Judge Barbara McAuliffe held a telephone conference with newly retained counsel, Anthony Salazar, attorney for Plaintiff/Cross-Defendants, Ray Gibson and Judy Slack, and counsel for Defendants/Cross-Complainants, Hagerty Insurance Agency, LLC and Essentia Insurance Company.

WHEREAS, on September 6, 2016, Magistrate Judge McAuliffe ordered the continuation of the Initial Scheduling Conference to October 11, 2016 to allow newly retained counsel, Anthony Salazar, to file a substitution of attorney for Mr. Gibson and Mrs. Slack. (Doc. No. 23.) The Court’s Order noted that the parties discussed “whether the Court should proceed with appointing a guardian ad-litem due to Mr. Gibson’s advanced Alzheimer’s disease”.

WHEREAS, Mr. Salazar filed a substitution of attorney on September 16, 2016. (Doc. No. 24.)

WHEREAS, the Mr. Salazar has advised that he will be filing for appointment of a guardian ad-litem for Mr. Gibson but that he needs additional time. Mr. Salazar has requested an additional three weeks to find a guardian ad-litem and file the appropriate motion with the Court.

WHEREAS, the parties agree and stipulate that the Initial Scheduling Conference be continued from October 11, 2016 to November 15, 2016, or later.

WHEREAS, the parties agree and stipulate that neither party will be prejudiced by the granting of such a continuance.

Accordingly, the parties respectfully request the Court adopt this proposed stipulation.

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IT IS SO STIPULATED.

Dated: October 3, 2016

COZEN O'CONNOR

By: /s/ Alicia Gurries

Irene K. Yesowitch  
Alicia M. Gurries  
Attorneys for Defendants/Cross-Complainants,  
HAGERTY INSURANCE AGENCY and  
ESSENTIA INSURANCE COMPANY

Dated: October 3, 2016

LAW OFFICE OF ANTHONY SALAZAR

By: /s/ Anthony Salazar

Anthony T. Salazar  
Attorney for Plaintiff/Cross-Defendants, RAY  
GIBSON and JUDY SLACK

**~~PROPOSED~~ ORDER**

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing therefrom, adopts the stipulation of the parties and agree to continue the Initial Scheduling Conference. The Court further **CONTINUES** the Initial SCHEDULING CONFERENCE from October 11, 2016 to **Wednesday, November 16, 2016 at 09:30 AM** before Magistrate Judge Barbara A. McAuliffe. A joint scheduling report is due one week before the conference.

IT IS SO ORDERED.

Dated: October 4, 2016

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE