

1 KEVIN P. McCARTHY, BAR NO. 144227
 McCARTHY & McCARTHY, LLP
 2 The Arlington Building
 492 Ninth Street, Suite 220
 3 Oakland, California 94607
 Telephone: (510) 839-8100
 4 Facsimile: (510) 839-8108

5 Attorney for Plaintiff
 6 INSIGHT GLASS, INC., a California Corporation

7 **UNITED STATES DISTRICT COURT**
 8 **EASTERN DISTRICT OF CALIFORNIA**
 9 **SACRAMENTO DISTRICT**

11	INSIGHT GLASS, INC., a California Corporation)	Case No.: 2:09-CV-03370-JAM (EFB)
12)	
13	Plaintiff,)	
14	v.)	STIPULATION AND ORDER TO CONTINUE TRIAL DATE
15	PHILIPS PRODUCTS; PHILIPS PRODUCTS, INC.; PHILIPS INDUSTRIES;)	
16	PHILIPS INDUSTRIES, INC.; TOMKINS, PLC; TOMKINS CORPORATION;)	Trial
17	TOMKINS INDUSTRIES, INC.; TOMKINS ACQUISITION CORPORATION; DOES 1-)	Date: September 16, 2013
18	100, inclusive,)	Time: 9:00 a.m.
19	Defendants.)	Dept.: 6
20)	

21 At the request of Plaintiff, INSIGHT GLASS, INC. (“INSIGHT”), INSIGHT and
 22 PHILIPS PRODUCTS, INC. (“PHILIPS”) hereby stipulate to a further continuance of the
 23 current September 16, 2013 trial date. This stipulation is based on a stated conflict by
 24 counsel for INSIGHT. Specifically, counsel for INSIGHT represents that he has several
 25 cases scheduled for trial, on or near, the current September 16, 2013 trial date.

26 Accordingly, INSIGHT and PHILIPS stipulate to continue the current trial date until

1 **April 28, 2014 at 9:00 a.m. in Department 6**, a date identified by the Court.

2 It is further stipulated that the Court's prior Order, issued on April 8, 2013,
3 re-opening written, non-expert discovery for the limited purpose of Plaintiff's response to
4 limited written discovery propounded by Defendant on the insurance issues raised by
5 Plaintiff remains in effect.

6 **IT IS SO STIPULATED:**

7 DATED: April 10, 2013

McCARTHY & McCARTHY LLP

8 /s/ Kevin P. McCarthy, Esq.

9 KEVIN P. McCARTHY
10 Attorney for Plaintiff
INSIGHT GLASS, INC.

11 DATED: April 10, 2013

LEWIS BRISBOIS BISGAARD & SMITH LLP

12 /s/ Scott M. Mackey, Esq.

13 SASHA M. CUMMINGS
14 SCOTT M. MACKEY
15 Attorneys for Defendant
PHILIPS PRODUCTS, INC.

16
17 The current Trial date of September 16, 2013 at 9:00 a.m. in Department 6 is
18 continued to **April 28, 2014 at 9:00 a.m. in Department 6**.

19 It is further ordered that the Court's prior Order, issued on April 8, 2013, re-opening
20 written, non-expert discovery for the limited purpose of Plaintiff's response to limited
21 written discovery propounded by Defendant on the insurance issues raised by Plaintiff
22 remains in effect.

23 **IT IS SO ORDERED.**

24 DATED: April 10, 2013

25 /s/ John A. Mendez

HONORABLE JOHN A. MENDEZ