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6 Attorneys for Defendant  
 ALLIED PROPERTY AND CASUALTY  
 7 INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA  
 10 SACRAMENTO DIVISION  
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12 NATIONAL UNION FIRE INSURANCE  
 13 COMPANY OF PITTSBURGH, PA, a  
 Pennsylvania corporation,

14 Plaintiff,

15 vs.

16 ALLIED PROPERTY AND CASUALTY  
 17 INSURANCE COMPANY, an Iowa  
 corporation,

18 Defendants.  
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CASE NO.: 2:12-CV-01380-MCE- KJN

**STIPULATION AND ORDER TO  
 CONTINUE DISCOVERY CUT-OFF**

FILE DATE: May 22, 2012  
 TRIAL DATE: April 14, 2014

20 The parties, by and through their attorneys, hereby request a short continuance of the  
 21 discovery cutoff to allow completion of discovery properly noticed and served so as to comply  
 22 with the present discovery cutoff of June 14, 2013. The parties request the discovery cutoff be  
 23 extended to June 28, 2013. This extension will not affect or interfere with any other dates  
 24 scheduled by the court, such as the deadline for dispositive motions or the trial date. It is the first  
 25 request made by the parties in this action.

26 Good cause exists to allow a short continuance of the discovery cutoff. The parties have  
 27 been diligent in pursuing discovery, and have already completed written discovery and taken two  
 28

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STIPULATION AND [PROPOSED] ORDER TO CONTINUE DISCOVERY CUT-OFF

1 depositions. Additional depositions are scheduled and a couple more will likely be noticed in the  
2 next few days. The parties are engaged in a discovery dispute and have been attempting to  
3 resolve it informally for the last few months. Progress has been made and it is possible that the  
4 parties may be able to resolve the dispute without court intervention. There is, however, a motion  
5 to compel further production of underwriting documents by plaintiff National Union on calendar.  
6 The hearing date has been expedited to June 11 by the court but, even with the expedited date, it  
7 seems unlikely that the parties will be able to obtain the disputed documents in time to prepare for  
8 and take the depositions of the underwriters. Moreover, National Union has objected to the  
9 underwriters depositions and a motion to compel on that issue may ultimately be necessary. The  
10 parties would also like to attempt to resolve this dispute without resorting to law and motion, and  
11 thus the additional two weeks would assist with that endeavor.

12 For these and other valid reasons, the parties respectfully request that the current  
13 discovery cutoff of June 14, 2013 be extended to June 28, 2013.

14  
15 Dated: May 24, 2013

MECKLER BULGER TILSON MARICK &  
PEARSON LLP

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18 By: /s/ Renee C. Callantine

Karen L. Uno  
Renée C. Callantine  
Attorneys for Defendant  
ALLIED PROPERTY AND CASUALTY  
INSURANCE COMPANY

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20  
21  
22 Dated: May 24, 2013

MCCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

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25 By: /s/ Jay A. Christofferson

Jay A. Christofferson  
Attorney for Plaintiff  
NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA

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**ORDER**

GOOD CAUSE APPEARING, it is ordered that the discovery cutoff, currently set for June 14, 2013, is moved to June 28, 2013. All other dates established by the Court's Scheduling Order remain in effect.

IT IS SO ORDERED.

DATED: June 5, 2013

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MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT