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10 Attorneys for Plaintiff
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 Pittsburgh, PA.

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

17 Plaintiff,

18 v.

19 ALLIED PROPERTY AND CASUALTY
 20 INSURANCE COMPANY, an Iowa
 corporation,

21 Defendant.
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Case No. 2:12-cv-01380-MCE-KJN

**STIPULATION AND ORDER TO
 CONTINUE DISCOVERY CUTOFF**

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1 The parties, by and through their attorneys of record, hereby request a short continuance of the
2 discovery cutoff to allow completion of discovery properly noticed and served so as to comply with
3 the present discovery cutoff of June 28, 2013. The parties request the discovery cutoff be extended to
4 July 12, 2013, an additional 14 days. This extension will not affect or interfere with any other dates
5 scheduled by the Court, such as the deadline for dispositive motions or the trial date. This is the
6 second request made by the parties in this action.

7 Good cause exists to allow a short continuance of the discovery cutoff. The parties have been
8 diligent in pursuing discovery and have already completed written discovery and taken five
9 depositions. Additional depositions are presently scheduled. The parties are engaged in two
10 discovery disputes concerning production of witnesses for deposition and documents and have been
11 attempting to resolve them informally. Progress has been made and it is possible that the parties may
12 be able to resolve both disputes without court intervention. In that regard, a request has been made to
13 continue Allied's motion set for June 11, 2013, as the parties have compromised relative to the
14 production of documents and production of a witness. Moreover, the parties are trying to avoid a
15 motion to compel Allied's production of 30(b)(6) witnesses for claims and underwriting, as well as
16 underwriting and claim file documents. It is unlikely that the parties will be able to obtain mutually
17 convenient dates to prepare for and take the depositions within the time frame presently set based on
18 the parties meet and confer efforts and, if necessary, motion practice. The parties would like to
19 attempt to resolve this dispute without resorting to law and motion and thus, an additional two weeks
20 would assist in allowing the parties to learn if they can reach an agreement.

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1 For these reasons, the parties respectfully request that the current discovery cutoff of June 28,
2 2013, be extended to July 12, 2013.

3 Dated: June 11, 2013

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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6 By: /s/ Jay A. Christofferson
Patrick Fredette

7 Jay A. Christofferson
8 Attorneys for Plaintiff
9 National Union Fire Insurance Company of Pittsburgh,
PA.

10 Dated: June 11, 2013

MECKLER BULGER TILSON MARICK &
PEARSON LLP

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13 By: /s/ Renee C. Callantine
Karen L. Uno

14 Renee C. Callantine
15 Attorneys for Defendant
Allied Property and Casualty Insurance Company


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ORDER

18 GOOD CAUSE APPEARING, it is ordered that the discovery cutoff presently set for June 28,
19 2013, is moved to July 12, 2013. All other dates established by the Court's Scheduling Order remain
20 in effect.

21 IT IS SO ORDERED.

22 DATED: June 19, 2013

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

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Fresno, State of California. My business address is 5 River Park Place East, Fresno, CA 93720-1501.

On June 11, 2013, I served true copies of the following document(s) described as **STIPULATION AND ORDER TO CONTINUE DISCOVERY CUTOFF** on the interested parties in this action as follows:

Renee C. Callantine, Esq.
Meckler, Bulger, Tilson, Marick & Pearson
LLP
575 Market Street, Suite 2200
San Francisco, CA 94105

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 11, 2013, at Fresno, California.

Karen P. Manriquez

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