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9  
10 UNITED STATES DISTRICT COURT

11 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

12  
13 PUBLIC SERVICE MUTUAL INSURANCE  
14 CO.,

15 Plaintiff,

16 v.

17 LIBERTY SURPLUS INSURANCE  
18 CORPORATION, et al.,

19 Defendant.

Case No. 2:14-CV-00226-MCE-KJN

**STIPULATION AND ORDER TO  
CONTINUE MANDATORY  
SETTLEMENT CONFERENCE**

20 By way of a signed stipulation submitted July 10, 2015 (ECF No. 18), the parties stipulated to  
21 the following:

22 Plaintiff Public Service Mutual Insurance Company (“Public Service”) and Defendant Liberty  
23 Surplus Insurance Corporation (“Liberty Surplus”) previously participated in mediation efforts in  
24 relation to the underlying liability action (*Balfour v. Fair Oaks Fountains, LLC, et al.*, Sacramento  
25 County Superior Court Case No. 34-2010-00082562). Those mediation efforts did not resolve the  
26 dispute between Public Service and Liberty Surplus. Based on the parties’ continued discussions, they  
27 believe that the mandatory settlement conference scheduled for July 30, 2015, should be postponed to  
28 a date in October that will accommodate the Court’s schedule. Because of the dispute between the


1 parties, and past mediation efforts, the parties believe that a settlement conference will be more  
2 productive after the parties file respective motions for summary judgment, which one or both parties  
3 are in the process of preparing and conferring regarding dates. The parties believe that a settlement  
4 conference will be an unproductive use of the Court's time, as well as the parties' time, prior to the  
5 filing of the motions for summary judgment.

6 In light of the foregoing, the parties stipulate to request the Court continue the Mandatory  
7 Settlement Conference currently set for July 30, 2015 at 10:00 a.m., to a date and time to be selected  
8 by the Court in October 2015.

9  
10 **ORDER**

11 Pursuant to the parties' signed stipulation (ECF No. 18), it is hereby ORDERED that the  
12 Mandatory Settlement Conference scheduled for July 30, 2015 is VACATED. Although the parties  
13 requested that the settlement conference before the Honorable Edmund F. Brennan be held in October  
14 2015, Judge Brennan is not available for a settlement conference in that month; the earliest he is  
15 available thereafter is November 19, 2015. Accordingly, the Mandatory Settlement Conference shall  
16 be held on November 19, 2015, at 10:00 a.m. in Courtroom 8 before the Honorable Edmund F.  
17 Brennan.

18 Dated: July 17, 2015

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