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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

LEVIN ENTERPRISES, INC.,

Plaintiff,

v.

MARYLAND CASUALTY COMPANY as
successor in interest to Maine Bonding &
Casualty Company; MAINE BONDING &
CASUALTY COMPANY; and GRANITE
STATE INSURANCE COMPANY,

Defendants.

CASE NO. 2:14-CV-01479-MCE-AC

**STIPULATION AND ORDER TO
RESCHEDULE SETTLEMENT
CONFERENCE**

Judge: Hon. Allison Claire
Complaint filed: June 20, 2014

This Stipulation is entered into by and between Plaintiff, LEVIN ENTERPRISES, INC. ("LEVIN") and Defendants ZURICH AMERICAN INSURANCE COMPANY ("Zurich American") as successor in interest to MAINE BONDING & CASUALTY COMPANY, which Zurich American contends was erroneously sued as "MARYLAND CASUALTY COMPANY as successor in interest to Maine Bonding & Casualty Company; MAINE BONDING & CASUALTY COMPANY"; and GRANITE STATE INSURANCE COMPANY ("GRANITE").

RECITAL

1. On November 18, 2014, the Court issued a Scheduling Order requiring the parties to serve all Phase I initial disclosures upon one another by November 21, 2014. The Scheduling Order also ordered a Settlement Conference to take place before Judge Carolyn K. Delaney on December 16, 2014 at 9:30 a.m. with confidential settlement conference statements due to the

1 Court at least seven days prior to the Settlement Conference.

2 2. On November 19, 2014, the Court granted the parties' stipulation and proposed
3 order to extend the deadline to serve Phase I initial disclosures upon one another until December
4 12, 2014.

5 3. Because the parties may not receive one another's initial disclosures before
6 December 12, 2014, they will not have enough time to review the initial disclosures and
7 documents, prepare confidential settlement conference statements, and engage in meaningful
8 settlement discussions at the currently scheduled December 16, 2014 Settlement Conference.

9 4. In addition, the parties are engaged in good faith efforts to schedule a mediation
10 between January and March 2015 (depending on the parties' and mediator's availability), and are
11 in the process of agreeing upon a mediator.

12 **IT IS HEREBY STIPULATED AND AGREED:**

13 5. Pursuant to Local Rules 143 and 144(a), the Settlement Conference currently
14 scheduled for December 16, 2014 will be rescheduled for a date in April, 2015. The parties are
15 available on the following dates in April, 2015: 15, 16, 17, 20, 21, 22, and 23.

16 DATED: December 8, 2014

HANSON BRIDGETT LLP

17
18 By: _____ /s/ Hani Ganji
19 LINDA E. KLAMM
20 MILES C. HOLDEN
21 HANI GANJI
22 Attorneys for
23 LEVIN ENTERPRISES, INC

21 DATED: December 8, 2014

SELMAN BREITMAN LLP

22
23 By: _____ /s/ Mark E. Inbody
24 LINDA WENDELL HSU
25 MARK E. INBODY
26 Attorneys for
27 ZURICH AMERICAN INSURANCE
28 COMPANY

1 DATED: December 8, 2014

LYNBERG & WATKINS

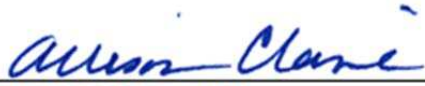
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By: _____
/s/ Jerome P. Doctors
R. JEFF CARLISLE
JEROME P. DOCTORS
RYAN C. BYKERK
Attorneys for
GRANITE STATE INSURANCE COMPANY

ORDER

The court hereby approves the parties' foregoing stipulation in part and denies in part. Although the court approves the parties' request for a continuance, it declines to set their settlement conference on any of their proposed dates because Judge Delaney will not be available. Instead, the parties' settlement conference will be held on April 28, 2015, at 9:30 a.m. before Judge Carolyn K. Delaney. In the future the parties should contact Judge Delaney's Courtroom Deputy, Kyle Owen, at 916-930-4004 to obtain her available dates before filing any stipulation to continue their settlement conference.
IT IS SO ORDERED.

Date: December 11, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE