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1 JAMES J. BANKS (SBN 119525) 2 ibanks@bw-firm.com ROBERTA LINDSEY SCOTT (SBN 117023) 3 rlscott@bw-firm.com BANKS & WATSON 4 901 F Street, Suite 200 Sacramento, CA 95814-2403 5 (916) 325-1000 (916) 325-1004 (facsimile) 6 Attorneys for Plaintiff 7 CAMP RICHARDSON RESORT, INC. 8 9 UNITED STATES DISTRICT COURT 10 EASTERN DISTRICT OF CALIFORNIA 11 Case No.: 2:15-CV-01101-TLN-AC CAMP RICHARDSON RESORT, INC., 12 Plaintiff, STIPULATION AND ORDER TO CONTINUE 13 **DEFENDANT PHILADELPHIA INDEMNITY** INSURANCE COMPANY'S MOTION TO 14 v. DISMISS FIRST AMENDED COMPLAINT AND RELATED BRIEFING DEADLINES PHILADELPHIA INDEMNITY 15 [L.R. 230(f), 143, 144] INSURANCE COMPANY, 16 Hon. Judge Troy Nunley Defendant. 17 18 Plaintiff Camp Richardson Resort, Inc. ("CRR") and defendant Philadelphia Indemnity 19 Insurance Company ("Philadelphia") through their respective counsel stipulate as follows: 20 WHEREAS, on February 16, 2016, Philadelphia filed a Motion to Dismiss CRR's First 21 Amended Complaint pursuant to Federal Rules of Civil Procedure Rule 12(b)(6) and set a hearing on the 22 motion for April 7, 2016. CRR must file an opposition to the motion on or before March 24, 2016; 23 WHEREAS, Banks & Watson, counsel of record to Camp Richardson Resort, Inc., is counsel of 24 record for a party in an arbitration pending before the Hon. Richard Gilbert. Judge Gilbert issued a 25

scheduling order on March 8, 2016 with multiple briefing deadlines and hearings from March and

through early April 2016, which conflict with the opposition deadline in the instant motion. This coupled

with other filing deadlines caused CRR's counsel to seek an extension of time to oppose Philadelphia's

1	pending Motion to Dismiss;	pending Motion to Dismiss;	
2	WHEREAS, counsel for the parties stipulate that the hearing	WHEREAS, counsel for the parties stipulate that the hearing on Philadelphia's Motion to	
3	Dismiss can be continued to May 19, 2016;		
4	WHEREAS, pursuant to stipulation, Philadelphia sought and was granted a first extension to		
5	respond to CRR's complaint in June 2015 and a second extension of time to respond to CRR's complaint		
6	in July 2015;		
7	WHEREAS, pursuant to stipulation, CRR sought and was granted an extension of time to file a		
8	First Amended Complaint in December 2015, and Philadelphia sought and was granted an extension to		
9	9   file a response to the First Amended Complaint in January 2016; and	file a response to the First Amended Complaint in January 2016; and	
10	WHEREAS, this is the first extension of time that CRR has requested to oppose Philadelphia's		
11	Motion to Dismiss the First Amended Complaint.		
12	THEREFORE, CRR and Philadelphia stipulate that, subject to this Court's order, the hearing on		
13	Philadelphia's Motion to Dismiss the First Amended Compliant be continued to May 19, 2016 at 2:00		
14	p.m., and that the briefing deadlines be extended coexistent with the continued hearing date pursuant to		
15	Eastern District Local Rule 230(f), 143 and 144.		
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17	Dated: March 18, 2016  BANKS & WATSO	N	
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19	ROBERTY EN ABE		
20	20 Attorneys for Plaintin CAMP RICHARDS	on RESORT, INC.	
21	21 Dated: March 18, 2016 NIELSEN, HALEY	& ABBOTT LLP	
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23			
24	24 Attorneys for Defend PHILADELPHIA IN	IDEMNITY INSURANCE CO.	
25	25 IT IS SO ORDERED.	Janley Munley	
26	26 Dated: March 22, 2016		
27	27	Troy L. Nunley	
28		rict Judge	

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STIPULATION AND ORDER TO CONTINUE DEFENDANT'S MOTION TO DISMISS