

1 Michael W. Melendez (SBN 125895)  
 COZEN O'CONNOR  
 2 101 Montgomery Street, Suite 1400  
 San Francisco, CA 94104  
 3 Tel: 415.644.0914  
 Fax: 415.644.0978  
 4 Email: mmelendez@cozen.com

5 Attorney for Defendant  
 OLD REPUBLIC INSURANCE COMPANY

6 Louis A. Basile (SBN 047432)  
 PORTER SIMON, PROFESSIONAL  
 CORPORATION  
 8 P.O. Box 5339  
 210 Grove Street  
 9 Tahoe City, CA 96145  
 Tel: 530-583-7268  
 10 Fax: 530-583-7209  
 Email: basile@portersimon.com

11 Douglas R. Alliston (SBN 137767)  
 12 MURPHY CAMPBELL ALLISTON & QUINN  
 8801 Folsom Boulevard, Suite 230  
 13 Sacramento, CA 95826  
 Tel: 916-400-2300  
 14 Fax: 916-400-2311  
 Email: dalliston@murphycampbell.com

15 Attorneys for Plaintiff  
 16 CROSS CHECK SERVICES, LLC

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 18 UNITED STATES DISTRICT COURT  
 19 EASTERN DISTRICT OF CALIFORNIA

20 CROSS CHECK SERVICES, LLC,  
 21 Plaintiff,  
 22 v.  
 23 OLD REPUBLIC INSURANCE COMPANY, a  
 24 Pennsylvania Corporation,  
 25 Defendant.

Case No.: 2:15-cv-02113-MCE-EFB

**AMENDED JOINT NOTICE OF TRIAL  
 READINESS, AND STIPULATION AND  
 ORDER FOR PROCEEDING TO TRIAL**

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1 Pursuant to this Court's March 7, 2016 [Dkt. 9] and October 24, 2016 [Dkt. 13] Orders,  
2 plaintiff Cross Check Services LLC and defendant Old Republic Insurance Company previously  
3 submitted a Joint Notice of Trial Readiness and Stipulation and [Proposed] Order for Proceeding to  
4 Trial, so that this insurance coverage dispute could be submitted for a bench trial on stipulated facts  
5 and agreed-upon exhibits. The Court signed the Order for Proceeding to Trial, which is attached  
6 hereto as Exhibit A.

7 Pursuant to the parties' agreed-upon procedure, if any "disputed" facts remained after the  
8 meet and confer process, the parties agreed to take depositions regarding any remaining "disputed"  
9 facts. The parties resolved most of their disputes regarding the stipulated facts, but had to take the  
10 deposition of one witness. Due to holiday schedules and the schedule of the witness, the parties only  
11 recently completed that deposition. The parties should now be able to complete their task of  
12 finalizing the stipulated facts and submitting their briefs to the Court, but respectfully request a brief  
13 continuance to do so, given the time required to depose the necessary witness. The parties therefore  
14 STIPULATE to the following:

- 15 1. On or before February 28, 2018, the parties will file their joint exhibit list and joint  
16 statement of undisputed facts.
- 17 2. On or before March 15, 2018, and each party will file and serve by email its opening  
18 brief.
- 19 3. On or before March 30, 2018, each party will file and serve by email its responding  
20 brief.
- 21 4. On or before March 30, 2018, each party shall file a separate "Request for Closing  
22 Argument" or, alternatively, a statement indicating its position that closing argument  
23 is not necessary.
- 24 5. The Court will take the matter under submission, and will set a date for closing  
25 arguments if the Court determines that oral arguments are necessary.

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It is so STIPULATED.

Dated: February \_\_\_, 2018

PORTER SIMON

By: \_\_\_\_\_  
Louis A. Basile  
Attorneys for Plaintiff  
CROSS CHECK SERVICES, INC.

Dated: February \_\_\_, 2018

MURPHY CAMPBELL ALLISTON & QUINN

By: \_\_\_\_\_  
Douglas R. Alliston  
Attorneys for Plaintiff  
CROSS CHECK SERVICES, INC.

Dated: February \_\_\_, 2018

COZEN O'CONNOR

By: \_\_\_\_\_  
Michael W. Melendez  
Attorneys for Defendant  
OLD REPUBLIC INSURANCE COMPANY

ORDER

It is hereby ORDERED that the trial of the above-captioned matter will be submitted to the Court pursuant to the following procedure:

1. On or before February 28, 2018, the parties will file their joint exhibit list and joint statement of undisputed facts.
2. On or before March 15, 2018, and each party will file and serve by email its opening brief.
3. On or before March 30, 2018, each party will file and serve by email its responding brief.

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- 4. On or before March 30, 2018, each party shall file a separate “Request for Closing Argument” or, alternatively, a statement indicating its position that closing argument is not necessary.
- 5. The Court will take the matter under submission, and will set a date for closing arguments if the Court determines that oral arguments are necessary.

IT IS SO ORDERED.

Dated: February 15, 2018

  
MORRISON C. ENGLAND, JR  
UNITED STATES DISTRICT JUDGE