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12
 13 **UNITED STATES DISTRICT COURT**
 14 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
 15 **IN ADMIRALTY**

16 IN RE: COMPLAINT AND PETITION OF WILLIAMS SPORTS RENTALS, 17 INC. AS OWNER OF A CERTAIN 2004 YAMAHA WAVERUNNER FX 18 140 FOR EXONERATION FROM OR LIMITATION OF LIABILITY 19	}	Case No. 2:17-cv-00653-KJM-DAP Hon. Kimberly J. Mueller
20 MARIAN LATASHA WILLIS, on behalf of the Estate of RAESHON 21 WILLIAMS, 22 <i>Respondent/Counter Claimant,</i> v. 23 WILLIAMS SPORTS RENTALS, INC., 24 <i>Petitioner/Counter Defendant.</i> 25	}	STIPULATION TO CONTINUE HEARING ON WSR’S MOTION FOR JUDGMENT ON THE PLEADINGS, OR ALTERNATIVELY, SUMMARY JUDGMENT, AS TO THIRD- PARTY DEFENDANTS KAI PETRICH & ZIP, INC.’S DUTY TO DEFEND WSR
26 WILLIAMS SPORTS RENTALS, INC., 27 <i>Petitioner, Counter Defendant, and</i> 28 <i>Third-party Plaintiff,</i>	}	Hearing Date: Friday, April 19, 2024 Hearing Time: 10:00 a.m. Hearing Place: Courtroom 3, 15th Floor

1 v.)
2 THOMAS SMITH, KAI PETRICH,)
3 BERKELEY EXECUTIVES, INC.,)
4 ZIP, INC., and DOES 1-10,)
5 *Third-party Defendants.*)

6 WHEREAS, Counter-Defendant Williams Sports Rentals, Inc. (“WSR”) filed
7 a Motion for Judgment on the Pleadings, or Alternatively, Summary Judgment, as to
8 Third-Party Defendants Kai Petrich & Zip, Inc.’s Duty to Defend WSR on March 15,
9 2024 (“Motion”) (ECF No. 207).

10 WHEREAS, Third-Party Defendant and Counter-Claimant KAI PETRICH’s
11 (“PETRICH”) opposition would be due on March 29, 2024.

12 WHEREAS, on March 25, 2024, attorneys for PETRICH and Twin City Fire
13 Insurance Company and Sentinel Insurance Company, Ltd. (“SENTINEL”), as
14 intervenors for ZIP, INC. (“ZIP”), and WSR met and conferred regarding WSR’s
15 Motion (ECF No. 207) and the issues raised therein, including: the laws applicable to
16 WSR’s contract and indemnity provisions, particularly in light of provisions in
17 WSR’s agreement favoring California law and the February 21, 2024, release of the
18 Supreme Court’s decision in *Great Lakes Insurance SE v. Raiders Retreat Realty*
19 *Co., LLC*, Case No. 22-500 (U.S. Feb. 21, 2024).

20 WHEREAS, in an effort to promote judicial economy and meet the goals of
21 the Court’s meet and confer directives, the parties to this stipulation have agreed to
22 an extension of time to review and brief the choice-of-law issue for this Court.

23 WHEREAS, PETRICH and SENTINEL’s new deadline to file an Opposition
24 to WSR’s Motion will be April 26, 2024.

25 WHEREAS, the parties have also agreed to extend the time for WSR to file its
26 reply brief to May 6, 2024.

27 WHEREAS, the parties have also agreed to continue the Motion hearing date
28 from April 19, 2024, to May 17, 2024.

1 COMES NOW the parties and stipulate for an Order as follows:
2 PETRICH and SENTINEL shall file their Oppositions to WSR's Motion (ECF
3 No. 207), on or before **April 26, 2024**.

4 WSR shall file its reply brief in support of WSR's Motion (ECF No. 207), on
5 or before **May 6, 2024**.

6 The Motion shall be heard on **May 17, 2024**.

7 **So Stipulated.**

8 Dated: March 27, 2024 COX, WOOTON, LERNER,
9 GRIIFIN & HANSEN, LLP
10 By: /S/ Lynn L. Krieger
11 Lynn L. Krieger
12 Matthew Mihaly
13 Attorneys for Third-Party Defendant and
14 Counter-Claimant KAI PETRICH

15 Dated: March 27, 2024 LAW OFFICE OF DAMIEN MOROZUMI
16 By: /S/ Damien Morozumi (authorized 3/26/24)
17 Damien Morozumi
18 Attorneys for Third-Party Defendant and
19 Counter-Claimant KAI PETRICH

20 Dated: March 27, 2024 MURPHY PEARSON BRADLEY & FEENEY
21 By: /S/ Laura Grealish (authorized 3/26/24)
22 Laura Grealish
23 Attorneys for Intervenors
24 SENTINEL INSURANCE COMPANY,
25 LTD.

26 Dated: March 27, 2024 WILSON ELSER
27 By: /S/ Otis Felder (authorized 3/26/24)
28 Otis Felder
Attorneys for Defendant and
Cross-Defendant
WILLIAMS SPORTS RENTAL

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ORDER

Pursuant to the above stipulation and good cause appearing, the court grants the parties' request.

IT IS SO ORDERED.

Dated: March 28, 2024.



CHIEF UNITED STATES DISTRICT JUDGE