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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA, et al.,

No. C 04-01593 WHA

Plaintiffs,

v.

**FURTHER CASE  
MANAGEMENT ORDER**

SEAGATE TECHNOLOGY, INC.,

Defendant.

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In this action involving insurers' obligation to defend their insured, prior orders granted summary judgment in favor of plaintiffs/counterclaim defendants and entered judgment against defendant/counterclaimant. Based on the parties' summary judgment briefing, these orders appeared to dispose of the entire action. After filing a notice of appeal, however, defendant moved for relief from judgment under Rule 60(b) because there was still an issue lurking in the case. A prior order granted defendant's Rule 60(b) motion, or in the alternative, stated that it would provide such relief following remand from our court of appeals.

The parties appeared for a case management conference on April 4. At the hearing, the parties identified not one, but several disputes and motions they might pursue.

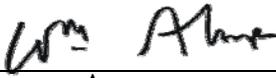
This action is now nine years old. It is time to bring it to a close. Both sides shall file any and all motions for further relief of any type by **NOON ON APRIL 25, 2013**, to be heard on a normal 35-day track. Any issues, dispositive or otherwise, not *clearly* identified and teed-up for decision as of that date shall be deemed **WAIVED**. The parties are advised that their prior

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practice suggesting that further relief may be necessary depending on the outcome of future motions will not be sufficient to avoid dismissal.

**IT IS SO ORDERED.**

Dated: April 5, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE