

1 Watt, Tieder, Hoffar & Fitzgerald, L.L.P.
 2 Michael G. Long, Bar No. 129771
 3 mlong@wthf.com
 4 David R. Johnson, Bar No. 174883
 5 djohnson@wthf.com
 6 2040 Main Street, Suite 300
 7 Irvine, CA 92614
 8 Telephone: 949-852-6700
 9 Facsimile: 949-261-0771

10 Attorneys for Plaintiffs

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 UNITED STATES FIDELITY AND
 16 GUARANTY COMPANY, et al.,

17 Plaintiffs,

18 v.

19 THE SCOTT COMPANIES, INC., et al.,

20 Defendants.

Case No. CV-03-5376- SBA
 CV-06-5590-EMC

**STIPULATION TO CONTINUE THE
 FEBRUARY 23, 2011 CONTINUED
 HEARING ON PLAINTIFFS' MOTION
 FOR ORDER TO SELL SECURITIES TO
 PARTIALLY SATISFY PLAINTIFFS'
 JUDGMENT AGAINST JOSEPH
 GUGLIELMO; [PROPOSED] ORDER
 THEREON**

Date: February 23, 2011
 Time: 10:30 a.m.
 Judge: Magistrate Edward M. Chen
 Courtroom: C-15th Floor

21 Plaintiffs United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance
 22 Company, St. Paul Fire and Marine Insurance Company and St. Paul Medical Liability Insurance
 23 Company (collectively, "St. Paul") and Judgment Debtor Joseph Guglielmo ("Guglielmo"),
 24 through their respective counsel, hereby stipulate and agree as follows:

25 WHEREAS:

26 A. St. Paul's Motion for Order to Sell Securities to Partially Satisfy Plaintiffs'

27 Judgment Against Joseph Guglielmo ("Motion") was heard by this Court on January 4,
 28 2011 at or about 10:30 a.m.

1 B. In its January 11, 2011 Order on the Motion (“Schwab Account Order”), the Court
2 ordered that information regarding a certain account maintained by Guglielmo at Charles Schwab
3 & Co., Inc. be exchanged with St. Paul. Further, the Court ordered that the parties submit further
4 briefing regarding Guglielmo’s need for the funds on February 16, 2011, and set a further hearing
5 regarding Plaintiffs’ Motion on February 23, 2011 at 10:30 a.m.

6 C. On January 14, 2011, St. Paul sent Guglielmo a letter demanding that Guglielmo
7 provide certain documents and information pertaining to his financial condition by January 28,
8 2011 in accordance with the Schwab Account Order (“St. Paul Letter Demand”).

9 D. St. Paul and Guglielmo are presently actively engaged in discussions which may,
10 if successful, ultimately resolve the entire dispute between them, and thereby obviate the need for
11 the information sought in the St. Paul Letter Demand, the additional submissions to this Court
12 and the continued hearing on the Motion.

13 **WHEREFORE,**

14 To allow St. Paul and Guglielmo to complete their discussions without potentially
15 unnecessarily incurring additional expenses and to avoid the potentially unnecessarily
16 expenditure of the resources of this Court, St. Paul and Guglielmo agree to continue:

- 17 1. The hearing on St. Paul’s Motion from February 23, 2011 by thirty (30)
18 days (to March 25, 2011), as the Court’s calendar may permit;
- 19 2. St. Paul’s and Guglielmo’s submission of additional briefing in accordance
20 with the Court’s Schwab Account Order from February 16, 2011 to two (2) weeks before
21 the continued hearing date on the Motion (to March 11, 2011); and

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3. The deadline for Guglielmo to provide to St. Paul the documentation and information demanded by St. Paul in its St. Paul Letter Demand to twenty-two (22) days before the continued hearing date on the Motion (to February 21, 2011).

IT IS SO STIPULATED.

Dated: February 1, 2011 WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P.

By: /s/ David R. Johnson
Michael G. Long
David R. Johnson
Counsel for Plaintiffs

Dated: February 1, 2011 LAW OFFICES OF JAMES M. SULLIVAN, INC.

By: /s/ James Sullivan
James Sullivan
Counsel for Joseph Guglielmo

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ORDER

After considering the Stipulation of the parties, and good cause existing therefore, IT IS
HEREBY ORDERED THAT:

1. The hearing on St. Paul’s Motion is continued from February 23, 2011 at
10:30 a.m. to March 23, 2011 at 10:30 a.m./~~p.m.~~;

2. The deadline for St. Paul and Guglielmo to submit additional briefing in
accordance with the Court’s January 11, 2011 Schwab Account Order is continued from
February 16, 2011 to March 9, 2011.

3. The deadline for Guglielmo to provide to St. Paul the documentation and
information demanded by St. Paul in its St. Paul Letter Demand is
February 21, 2011.

IT IS SO ORDERED

Dated: February 1, 2011



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